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Filing date: **09/29/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91206921
Party	Plaintiff Rich Products Corporation
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Date	09/29/2015
Attachments	Public_Opposer_s Supplemental ACR Trial Brief.pdf(54961 bytes ) Public_Malchoff_Decl.pdf(576268 bytes ) Malchoff_A_Part1.pdf(5162312 bytes ) Malchoff_A_Part2.pdf(3877835 bytes ) Public_Malchoff_B.pdf(6201 bytes ) Public_Malchoff_C.pdf(6201 bytes ) Malchoff_D.pdf(5482032 bytes ) Malchoff_E.pdf(94027 bytes ) Public_Malchoff_F.pdf(6199 bytes ) Malchoff_G.pdf(1919121 bytes ) Jacquinot_Declaration.pdf(129636 bytes ) Jacquinot_A.pdf(3169915 bytes ) Jacquinot_B.pdf(2296150 bytes ) Jacquinot_C.pdf(1387428 bytes ) Jacquinot_D.pdf(3525315 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 85/577,551  
For the Mark: BETTER ON TOP!

Rich Products Corporation,	)	
	)	
Opposer,	)	Opposition No. 91206921
	)	
v.	)	
	)	
VegiPro Brands, LLC DBA Exposure SMI,	)	
	)	
Applicant.	)	
	)	
	)	
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**OPPOSER’S SUPPLEMENTAL ACR TRIAL BRIEF**

Opposer, Rich Products Corporation (“RPC” or “Opposer”), submits a Supplemental Brief for purposes of Accelerated Case Resolution (“ACR”) trial and decision as authorized by the Parties’ stipulation to proceed under the Board’s ACR procedure. *See* Doc. No. 27, ¶ 2.

Opposer’s Supplemental Brief is accompanied by testimony in the form of the declarations of Jeff Malchoff and Diane M. Jacquinot, which are being filed concurrently with this brief.<sup>1</sup>

**I. INTRODUCTION**

On September 11, 2012, RPC filed a Notice of Opposition to the intent-to-use application (U.S. Serial No. 85/577,551) of VegiPro Brands, LLC (“VegiPro” or “Applicant”). VegiPro seeks to register the mark BETTER ON TOP! in a standard character form for “whipped

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<sup>1</sup> Ms. Jacquinot previously submitted a declaration with the summary judgment briefing filed in this matter. *See* Doc. No. 16. That declaration included copies of the pleaded registration certificates and, when cited to here, includes a reference to “Doc. No. 16.”

topping” in International Class 29. VegiPro has admitted that the BETTER ON TOP! mark has not been used in commerce to date. *See* Doc. No. 18 at p. 15.

The uncontroverted evidence of record shows that RPC is the owner and registrant of a series of “ON TOP” marks for legally identical goods—i.e., “non-dairy whipped topping”—in International Class 29. *See, e.g.,* Malchoff Decl. at ¶¶ 3, 4; Frank Decl. at ¶ 3 (Doc. No. 16); Jacquinot Decl., Ex. A (Doc. No. 16).<sup>2</sup> RPC has used the ON TOP Marks in connection with whipped toppings since 1986 and, accordingly, has priority of use and registration of the ON TOP Marks. *See* Malchoff Decl. at ¶ 4; Frank Decl. at ¶ 4 (Doc. No. 16).

RPC thereafter filed a motion for summary judgment seeking a ruling that there is a likelihood of confusion between the ON TOP Marks used and registered by RPC in connection with “non-dairy whipped topping” and the BETTER ON TOP! mark for use on “whipped topping.”

On June 8, 2015, the Board issued an Order denying RPC’s motion for summary judgment (“Order on SJ”). *See* Doc. No. 20. In the Order on SJ, the Board found that a genuine dispute of material fact exists as to at least two *DuPont* factors:

[W]hether Opposer’s pleaded marks and Applicant’s involved marks are similar in sound and appearance and whether the marks convey a similar meaning and/or commercial impression . . . [and] the strength of Opposer’s pleaded marks.

Doc. No. 20 at p. 5.

In the Order on SJ, the Board invited the parties to stipulate to resolution of the proceeding by means of the Board’s ACR procedure. *See Id.* The parties thereafter filed a joint stipulation to proceed under the Board’s ACR procedure. *See* Doc. No. 27.

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<sup>2</sup> The ON TOP marks and registrations pleaded in the Notice of Opposition are referred to herein as the “ON TOP Marks.”

## **II. RPC IS ENTITLED TO JUDGMENT IN ITS FAVOR ON THIS OPPOSITION**

As set forth in paragraph one of the parties' stipulation to proceed under the Board's ACR procedure, the Board may use its ACR procedure to resolve this proceeding based on RPC's motion for summary judgment (Doc. No. 16) and reply brief (Doc. No. 19) and all declarations and evidence submitted with those filings. The stipulation also allows RPC to submit a supplemental brief (and reply brief) and supplemental testimony by declarations (including exhibits). *See* Doc. No. 27 at ¶ 2.

RPC's supplemental submission of evidence goes primarily to two of the *DuPont* factors—similarity of the marks and strength of RPC's pleaded ON TOP Marks. *See In re E.I. DuPont DeNemours & Co.*, 476 F.2d, 1357, 177 U.S.P.Q. 563, 567 (C.C.P.A. 1973). This new evidence—coupled with the evidence and argument previously submitted by RPC in this matter as a part of its summary judgment briefing—necessitate judgment in RPC's favor in this proceeding.

### **A. Consumers Encountering the Mark BETTER ON TOP! in the Marketplace on a Whipped Topping Would be Predisposed to Believe it is an Improved Version of RPC's ON TOP Whipped Topping**

As an initial proposition, according to the Federal Circuit, “when marks would appear on virtually identical goods or services, the degree of similarity necessary to support a conclusion of likely confusion declines.” *Century 21 Real Estate Corp. v. Century Life of America*, 970 F.2d 874, 23 U.S.P.Q. 2d 1698, 1700 (Fed. Cir. 1992); *Ava Enterprises, Inc. v. Audio Boss USA, Inc.*, 77 U.S.P.Q. 2d 1783, 1784 (T.T.A.B. 2006). There is no question here that VegiPro's goods are legally identical to those set out in the ON TOP registrations as both are for whipped topping. Accordingly, the degree of similarity needed to prove likelihood of confusion diminishes.

The mark in RPC's U.S. Reg. No. 1,882,377 (the " '377 Registration") is ON TOP in standard character form. To state the obvious and as argued in detail by RPC in its summary judgment briefing, Applicant's BETTER ON TOP! is similar to ON TOP in that it incorporates the entirety of RPC's '377 Registration, differing only by the addition of a laudatory term in the front and an exclamation point at the end. *See In re Jump Designs, LLC*, 80 USPQ2d 1370, 1375 (TTAB 2006) ("The general rule is that a subsequent user may not appropriate the entire marks of another and avoid a likelihood of confusion by adding descriptive or subordinant matter thereto."); *In re Rexel Inc.*, 223 USPQ 830 (TTAB 1984) (LITTLE GOLIATH for a stapler held to be confusingly similar to GOLIATH for pencils).

Because both marks are presented in typed or standard character form, each could be used in any typeface, color, or size, including the same stylization actually used or intended to be used by the other party. *See Citigroup Inc. v. Capital City Bank Group Inc.*, 637 F.3d 1344, 98 U.S.P.Q. 2d 1253, 1259 (Fed. Cir. 2011). Accordingly, VegiPro's BETTER ON TOP! mark could be used in an identical typeface, size, and color as that used by RPC since 1986 for its ON TOP Marks. *See Frank Decl. at Ex. A (Doc. No. 16).*

Consumers are conditioned to encounter laudatory terms like "Better," "Best," "Improved," "New," "New and Improved," "Plus," etc. in the marketplace on packaging and advertising associated with a known brand. For example, RPC has submitted evidence showing that third parties register laudatory forms of their registered trademarks. *See, e.g., Jacquinot Decl. at ¶ 3, Ex. B* (showing U.S. registrations for SCHLOTZSKY'S BETTER, STAPLES BETTER, BEST WESTERN PLUS, BEST WESTERN PREMIER, GIGGLE BETTER BASICS, DIRECTTV PLUS, FARR BETTER, BEAR'S BEST, KATZ THE BEST, BLIMPIE BEST).

Moreover, the marketplace is rife with product packaging and advertising touting words like “better,” “improved,” “better tasting,” “new,” and “new and improved” to connote a reformulated or reworked version of a product. *See* Jacquinot Decl. at ¶ 4, Ex. C (evidencing use of laudatory terms “new,” “better,” “new and improved” to promote numerous products like chicken, cigarettes, sausage, cereals, crackers, vegetable spray, etc.). Notably, the laudatory terms on the packaging or advertising are generally highlighted by a contrasting font and color and, in many instances, include an exclamation mark to signal to a consumer that the new version of the product is better than the old version. This is a common method of promoting a reworked product and is well-known to consumers.

The mark BETTER ON TOP! would wrongfully convey to a consumer the commercial impression that the identical VegiPro whipped topping product is an improved, reformulated version of ON TOP. This proposition is particularly true given Applicant’s claims that its proposed product will in fact be “better”—at least with regard to its ingredients—as it will be vegan, organic, and will not contain GMOs. *See* Doc. No. 18 at p. 1 (“Opposer’s whipped topping is not truly a dairy free/vegan whipped topping and it contains genetically modified ingredients (GMOs).”) Notably, in the food industry, there has been a growing trend to remove GMOs from known food products in an effort to sell to the health-conscious consumer. *See, e.g.,* Jacquinot Decl. at ¶ 5, Ex. D. A consumer would thus be predisposed to believe that BETTER ON TOP! for an organic, vegan whipped topping is a reformulated version of RPC’s ON TOP whipped topping marketed toward the vegan consumer. This *DuPont* factor favors RPC.

**B. REDACTED**

REDACTED

REDACTED

Likewise, various publications on the internet regarding RPC include ON TOP as a significant brand and product development. *See*

Jacquinet Decl. at ¶ 2, Ex. A (containing articles on the internet describing RPC and its product line and brands, including the ON TOP whipped topping).

The evidence unequivocally establishes that the ON TOP Marks are strong marks in the whipped topping market segment and, accordingly, must be given a wide scope of protection. *See Toro Co. v. ToroHead Inc.*, 61 U.S.P.Q. 2d 1164, 1170 (T.T.A.B. 2011) (“[F]ame for likelihood of confusion purposes and fame for dilution purposes are not necessarily the same. A mark may have acquired sufficient public recognition and renown to demonstrate that it is a strong mark for likelihood of confusion purposes without meeting the stringent requirements to establish that it is a famous mark for dilution purposes.”). *See also Kenner Parker Toys Inc. v. Rose Art Indus., Inc.*, 963 F.2d 350, 22 U.S.P.Q.2d 1453, 1456 (Fed. Cir. 1992) (“A strong mark . . . casts a long shadow which competitors must avoid.”); *L’Oreal S.A. v. Marcon*, 102 U.S.P.Q.2d 1434, 1437 (T.T.A.B. 2012) (“[E]xtreme deference [is] accorded to a famous mark in terms of the wide latitude of legal protection it receives . . .”). “As a mark’s fame increases, the [Lanham] Act’s tolerance for similarities in competing marks falls.” *Kenner Parker Toys*, 22 U.S.P.Q.2d at 1456.

Substantial evidence supports a finding that ON TOP has enjoyed “at least a high degree of recognition” that has rendered the mark “distinctive and strong and entitled to a broad level of protection.” *See, e.g., Midwestern Pet Foods Inc. v. Societe des Produits Nestle S.A.*, 685 F.3d 1046, U.S.P.Q. 2d 1435, 1440 (Fed. Cir. 2012); *Palm Bay Imps., Inc. v. Vueve Clicquot Ponsardin Maison Fondée En 1772*, 396 F.3d 1369, 73 U.S.P.Q. 2d 1689, 1694 (Fed. Cir. 2005) (likelihood of confusion fame varies along a spectrum from very strong to very weak). Accordingly, VegiPro should be precluded from registering a laudatory variation of the ON TOP mark for an identical whipped topping product.

### **C. The Relevant *DuPont* Factors Unquestionably Favor RPC**

In its prior submissions to the Board, VegiPro conceded that it has not used the BETTER ON TOP! mark in commerce. *See* Doc. No. 18 at p. 15. However, VegiPro sought to offer evidence regarding the proposed nature of its product as well as its projected trade channels and consumers. The law is well-stated that this evidence is not relevant:

The authority is legion that the question of registrability of an applicant's mark must be decided on the basis of the identification of goods set forth in the application regardless of what the record may reveal as to the particular nature of an applicant's goods, the particular channels of trade or the class of purchasers to which sales of the goods are directed.

*Octocom Sys., Inc. v. Houston Computers Services, Inc.*, 918 F.2d 937, 16 U.S.P.Q. 2d 1783, 1787 (Fed. Cir. 1990).

Opposer submits that the similarity of the marks, similarity of the goods, and the strength of the ON TOP Marks' *DuPont* factors are dispositive in this case and necessitate judgment in Opposer's favor.<sup>3</sup> Moreover, to the extent Opposer seeks to submit additional evidence regarding the proposed nature of its goods, trade channels, and/or purchasers, such evidence is irrelevant. The goods recited in U.S. Serial No. 85/577,551 are not limited to any particular type of whipped topping, trade channel, or purchaser.

### **III. CONCLUSION**

For the foregoing reasons, RPC respectfully requests that the Board sustain the Opposition and refuse registration of U.S. Serial No. 85/577,551.

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<sup>3</sup> Moreover, Applicant's evidence regarding the number and nature of similar marks in use is not probative as none of the cited registrations subsumes the entirety of Opposer's ON TOP mark between a laudatory term and a punctuation mark. Nor do any include the words "on top" as a part of the mark.

Dated: September 29, 2015

Respectfully submitted,

FAY SHARPE LLP

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Attorneys for Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that on September 29, 2015, the foregoing **OPPOSER'S SUPPLEMENTAL ACR TRIAL BRIEF** was filed electronically. Notice of this filing was served by electronic mail on the following attorney for Applicant:

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/s/ Jude A. Fry  
Jude A. Fry  
Attorney for Opposer

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/577,551  
For the Mark: BETTER ON TOP!

Rich Products Corporation,	)	
	)	
Opposer,	)	Opposition No. 91206921
	)	
v.	)	
	)	
VegiPro Brands, LLC DBA Exposure SMI,	)	
	)	
Applicant.	)	
	)	
	)	

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**DECLARATION OF JEFF MALCHOFF IN SUPPORT OF OPPOSER'S  
SUPPLEMENTAL ACR TRIAL BRIEF**

**TRADE SECRET – COMMERCIALY SENSITIVE**  
**TO BE FILED UNDER SEAL**

**I, Jeff Malchoff**, declare and state as follows:

1. I am the Marketing Manager - Toppings & Icings, Food Service Division of Rich Products Corporation ("RPC") and, as such, I am fully familiar with the facts and circumstances of this matter. I am over the age of eighteen (18) and competent to execute this Declaration. The following statements are true and correct based on my personal knowledge or information transmitted to me from records made at or near the time of the transactions referenced therein by person(s) with personal knowledge thereof.

2. As the Marketing Manager for the Toppings & Icings, Food Service Division, I am intimately involved with all aspects of the ON TOP whipped topping, including sales, packaging, marketing, promotion and distribution.

3. RPC is the owner of the following United States trademark registrations relating to the ON TOP whipped topping:

Reg. No.	Mark	Goods
1882377	ON TOP	Non-dairy whipped topping
1496918	RICH'S ON TOP	Non-dairy whipped topping
4215194	ON TOP w/Design	Non-dairy whipped topping

Collectively these registered marks will be referred to as the "ON TOP Marks."

4. The ON TOP whipped topping was first introduced in 1986 as the world's first non-dairy topping in a bag. The ON TOP whipped topping is presently distributed and sold throughout all of the United States. Since 1986, RPC has grown its ON TOP whipped topping into an international brand, which is now sold in the following additional countries and territories:

- Canada
- South Korea
- Barbados
- Costa Rica
- Dominican Republic
- Guatemala
- Honduras
- Nicaragua
- Jamaica
- Panama

- Puerto Rico
- Trinidad
- Colombia
- Mexico

5. From 1986 to the present, RPC has consistently and prominently displayed its ON TOP Marks on packaging and promotional materials to identify its line of whipped toppings. The ON TOP whipped toppings product line has since expanded to include a broad range of flavors and sizes, including the following:

- ON TOP® Original 16 oz.
- ON TOP® Original 8 oz.
- ON TOP® Original in a smaller case size for cash and carry locations.
- ON TOP® Made with Cream.
- Chocolate ON TOP®.
- Sugar Free ON TOP®.
- ON TOP® Extra Stability.
- Cookies 'n Crème ON TOP®.
- Peppermint ON TOP®.
- Cinnamon ON TOP®.
- ON TOP® for the Top 'n Go™ dispenser.

The various products in the ON TOP product line are collectively referred to as the "ON TOP family of whipped toppings."

6. Attached to this declaration collectively as Exhibit A are representative samples of packaging designs pertaining to the ON TOP family of whipped toppings. As shown in Exhibit A (A001-A030), the registered ON TOP Marks are featured prominently on all of the product packaging designs.

7. REDACTED

8. REDACTED

9. REDACTED

10. REDACTED

11. The ON TOP family of whipped toppings has been and presently is marketed throughout the United States via print materials, sales flyers, on the internet, and through its distributors and sales force. For example, attached to this declaration collectively as Exhibit D are the following:

- A recent advertisement featuring the ON TOP® whipped topping product entitled *Love at First Sip* (D001).
- An example of a Restaurant Depot monthly sales flyer for the Midwest Region for May 2015 (which is also featured online at [www.restaurantdepot.com](http://www.restaurantdepot.com) ).  
RPC's ON TOP® product appears on page 7 of the attached Exhibit E (D002-D021).
- *Rich's On Top Whipped Topping*, Convenience Store News, Retrieved from [www.csnews.com/product-categories/new-products-and-promotions/rich%E2%80%9C](http://www.csnews.com/product-categories/new-products-and-promotions/rich%E2%80%9C) on July 14, 2015 (D022-D023).

- A recent advertisement featuring ON TOP® whipped topping product entitled *How Will You Do Dessert?* (D024)
- A summary on the ON TOP® *Love at First Sip* advertisement placement (D025-D026).
- An alternate version of a recent advertisement featuring the ON TOP® whipped topping product entitled *How Will You Do Dessert?* (D027)

Similar types of print and electronic advertisement to promote the ON TOP family of whipped toppings have been used well prior to March 22, 2012, the Applicant's filing date.

12. RPC also participates in almost all regional and national distributor food shows across the United States. The ON TOP product is featured or promoted in some way at each show. RPC also participates in different National Account Shows where the ON TOP product is likewise promoted. Attached to this declaration as Exhibit E are photographs evidencing Rich's participation at such food shows. The ON TOP product would be displayed or otherwise promoted at all of these shows.

13. REDACTED

- REDACTED
- REDACTED

- REDACTED

14. Since 1986, the ON TOP® brand and product line have been highlighted by RPC in its newsletters and magazines as a significant product development for RPC. For example, attached to this declaration collectively as Exhibit G are true and accurate copies of three such publications featuring the ON TOP brand and its success in the marketplace:

- *Rich's Stays On Top With Sixth Generation of Original Whip Topping* (G001-G002).
- *Food Service Division Introduces Grand American Free No-Fat Frozen Dessert* (Spring 1990, p. 5-6) (G003-G006).
- *Rich's Niles Plant Putting Non-Dairy Pioneer On Top® With World-Class Products, Production Systems* (September 1995, p.1,3) (G007-G009).
- *A Rich Heritage: An Overview of Our History*, Rich Products Corporation, Retrieved from [www.richs.com/about/history/history-detail/](http://www.richs.com/about/history/history-detail/) on July 14, 2015 (G010-G014).

The publications credit the ON TOP whipped topping line as a significant product for RPC, contributing to RPC's sales success going back to the 1980s and into the 1990s.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on September 29, 2015.

  
Jeff Malchoff

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T.T.A.B. Opposition No. 91206921

Rich Products Corporation

v.

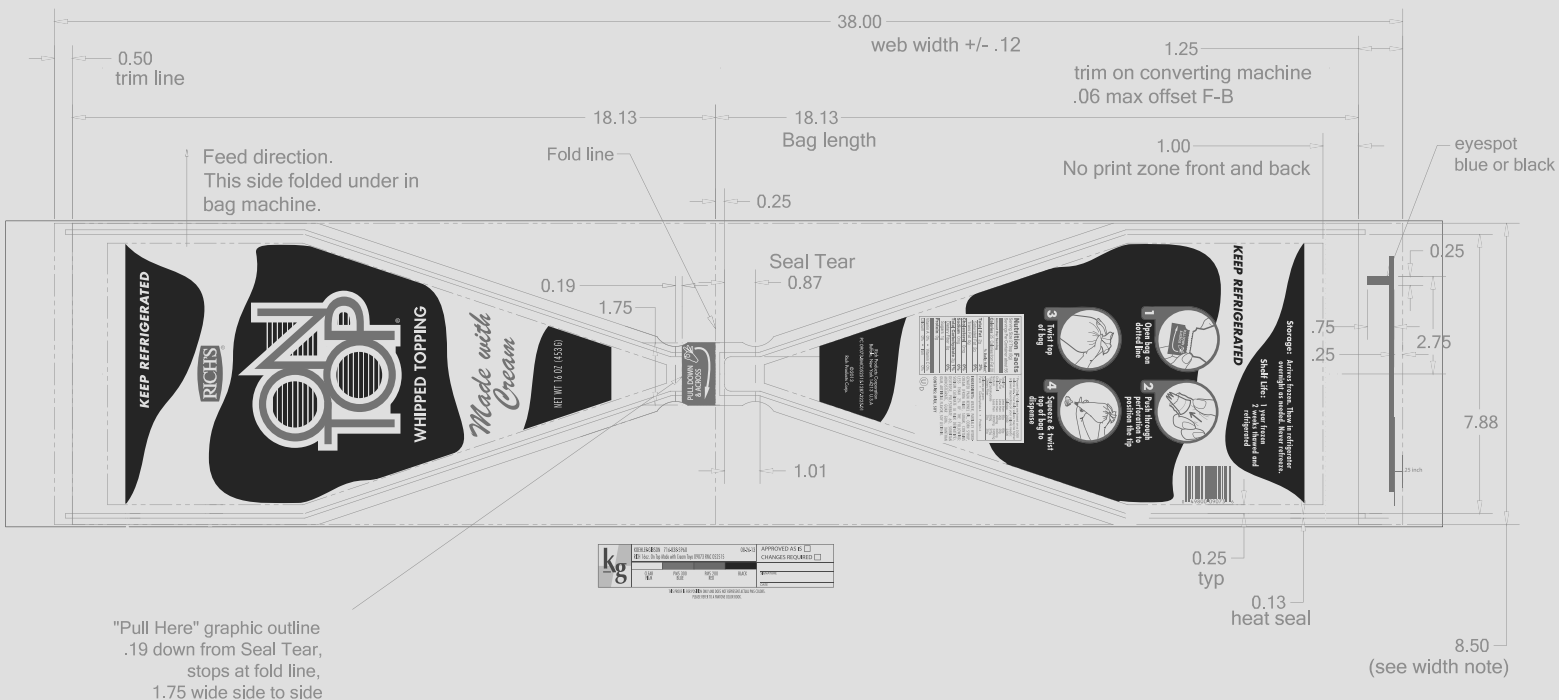
VegiPro Brands, LLC DBA Exposure SMI

**Malchoff Declaration**

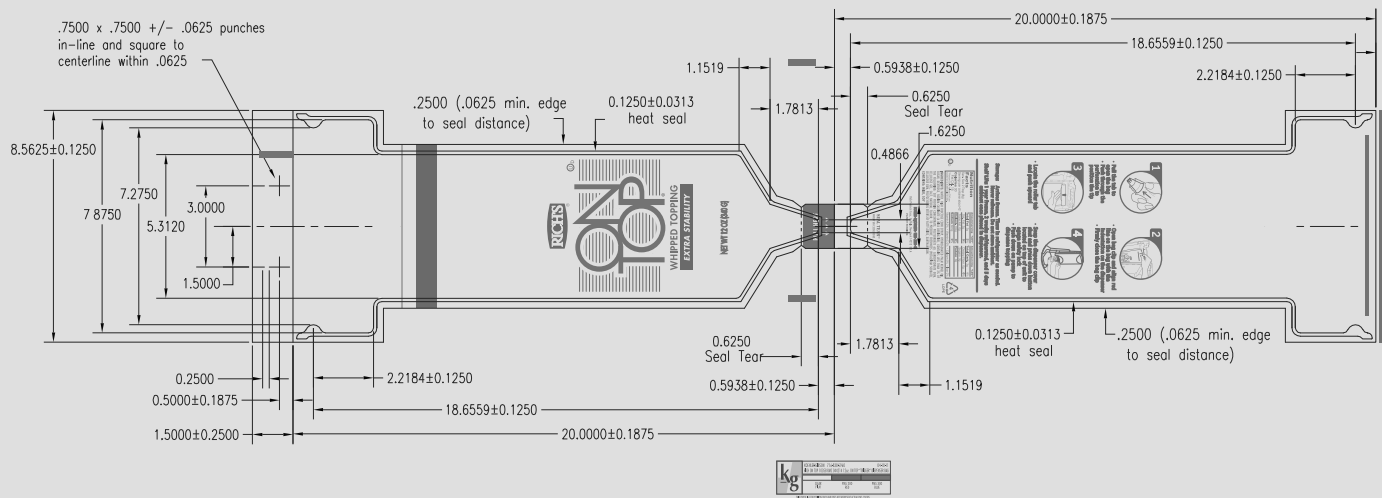
**Ex. A**







A003



A004

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3125 <sup>0</sup>
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NET WT 12 OZ (340 G)

**Rich's**  
**Top**  
WHIPPED TOPPING  
EXTRA STABILITY

NET WT 12 OZ (340 G)

**richs**  
**top**  
WHIPPED TOPPING  
EXTRA STABILITY

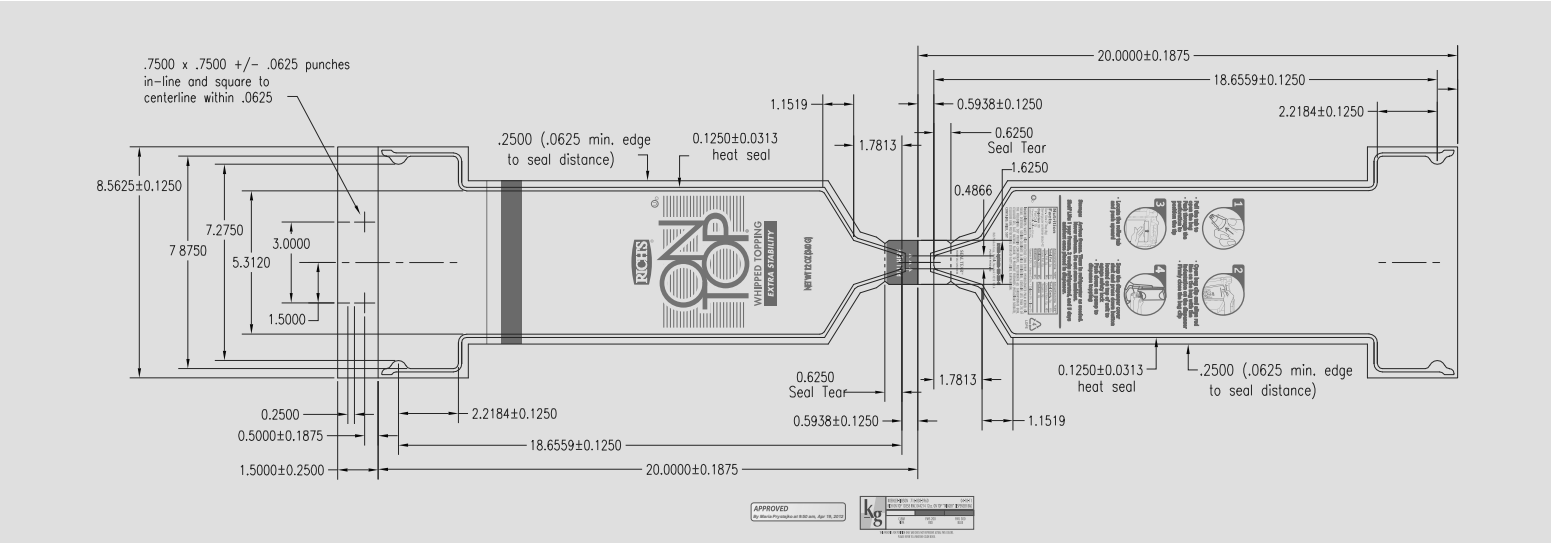
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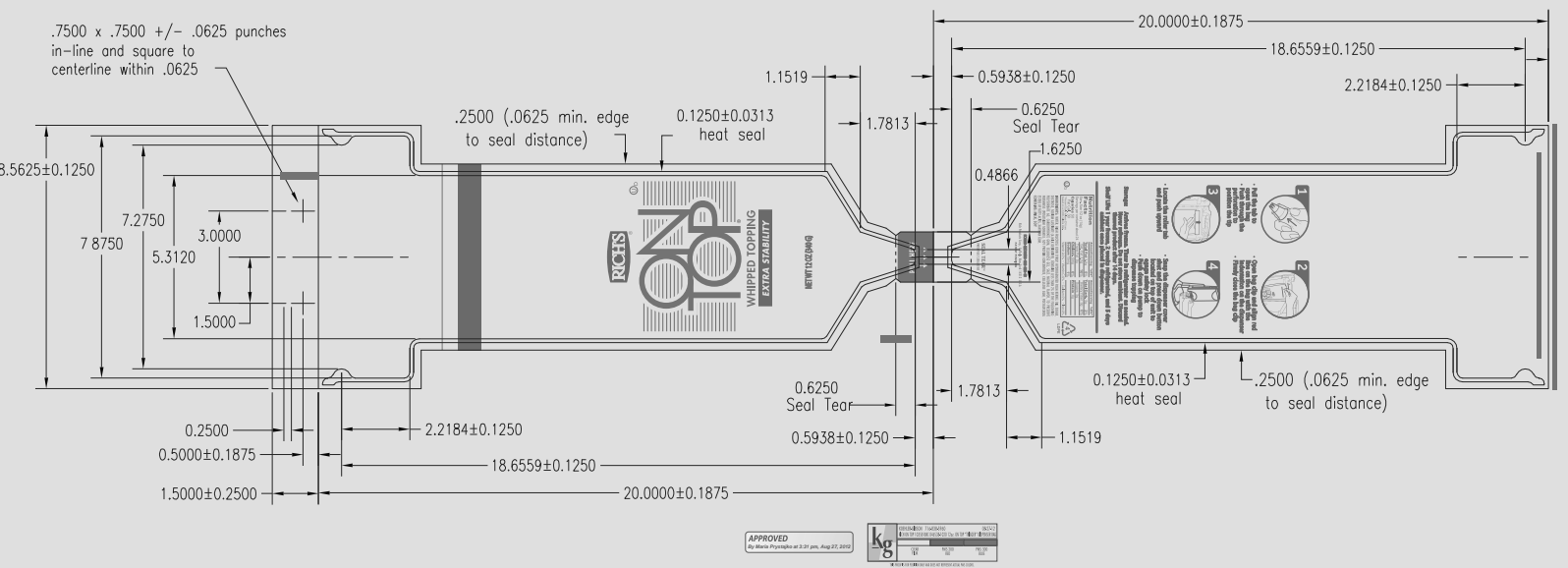
NET WT 12 OZ (340 G)

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A close-up of a digital scale display. The screen shows 'A005' in large black digits, with 'kg' in smaller text to the left. Below this, there are three smaller displays: '0.00', '0.00', and '0.00'. The background is a light gray with some text and icons.

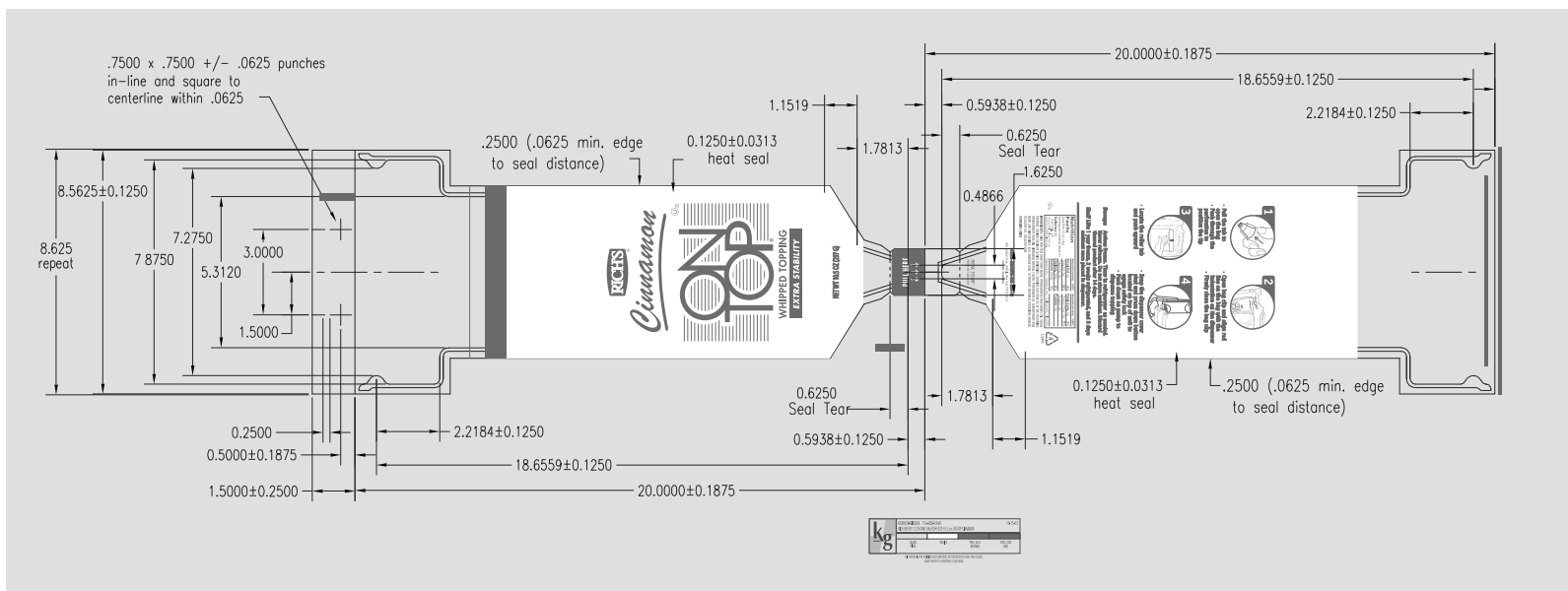


A006

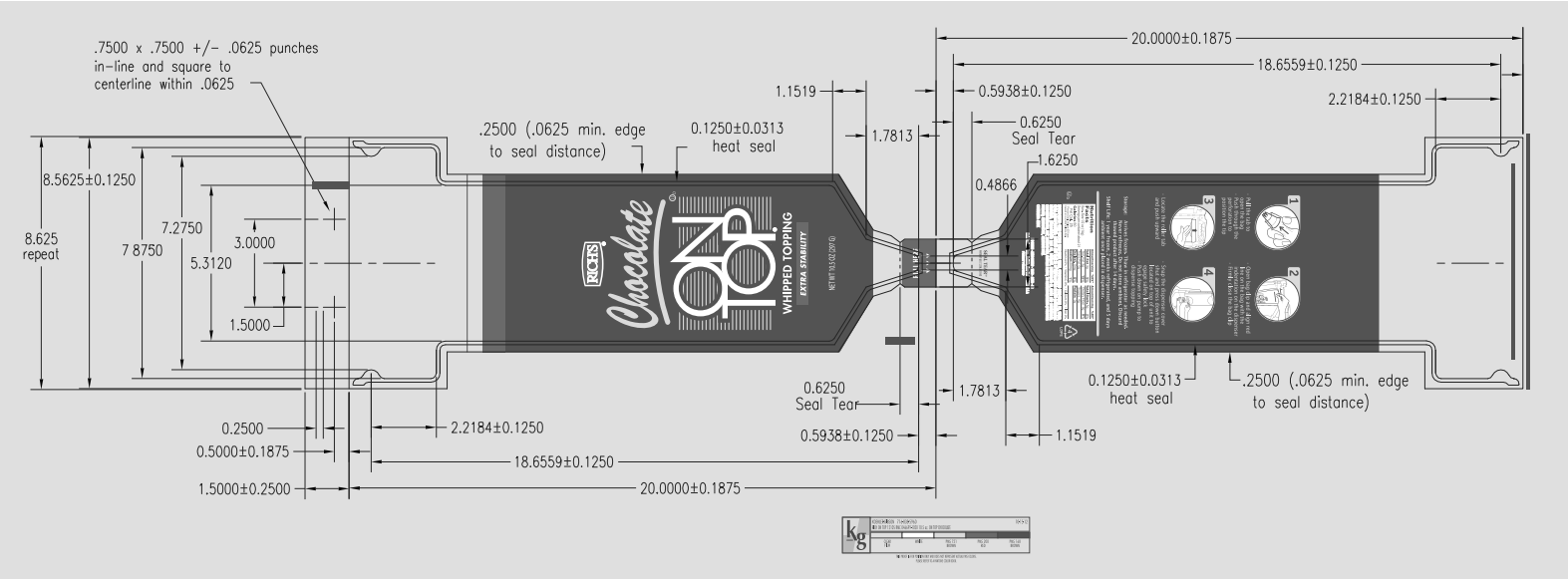


A007





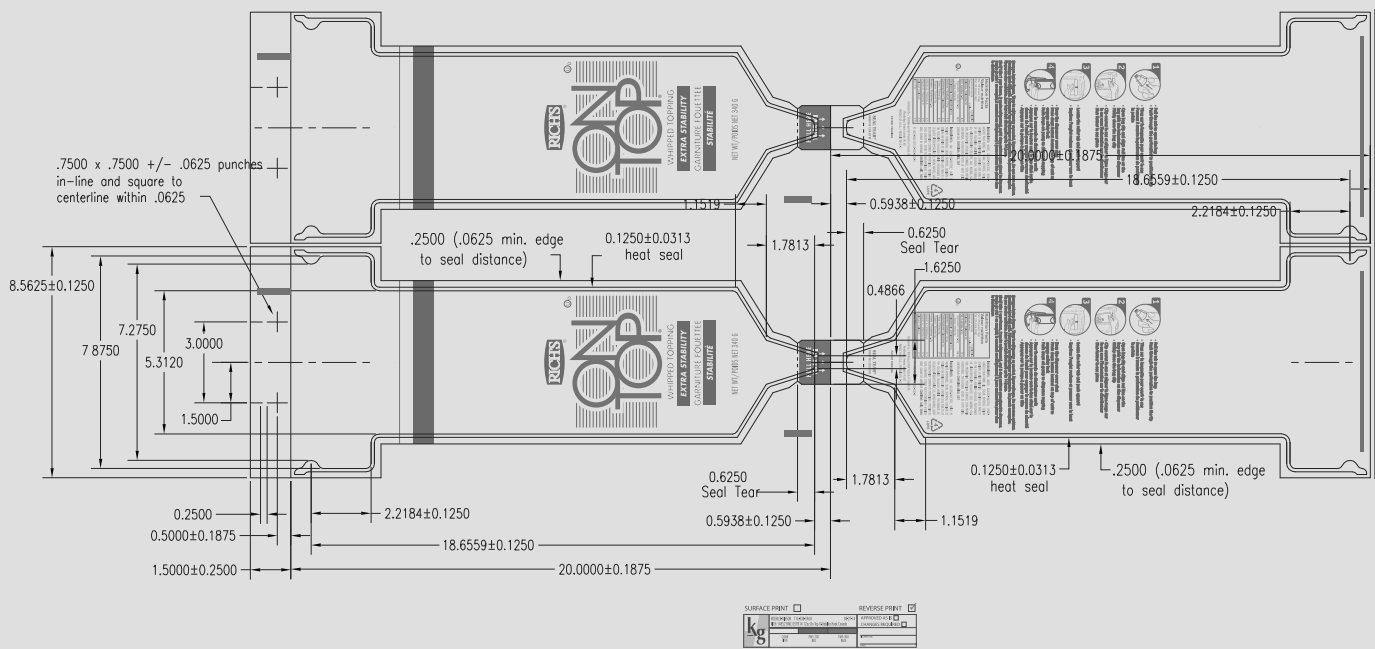
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A010

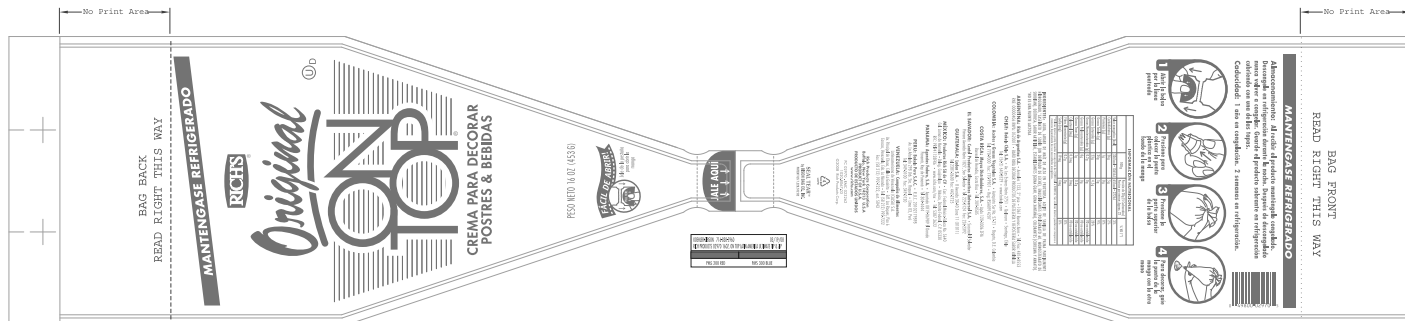






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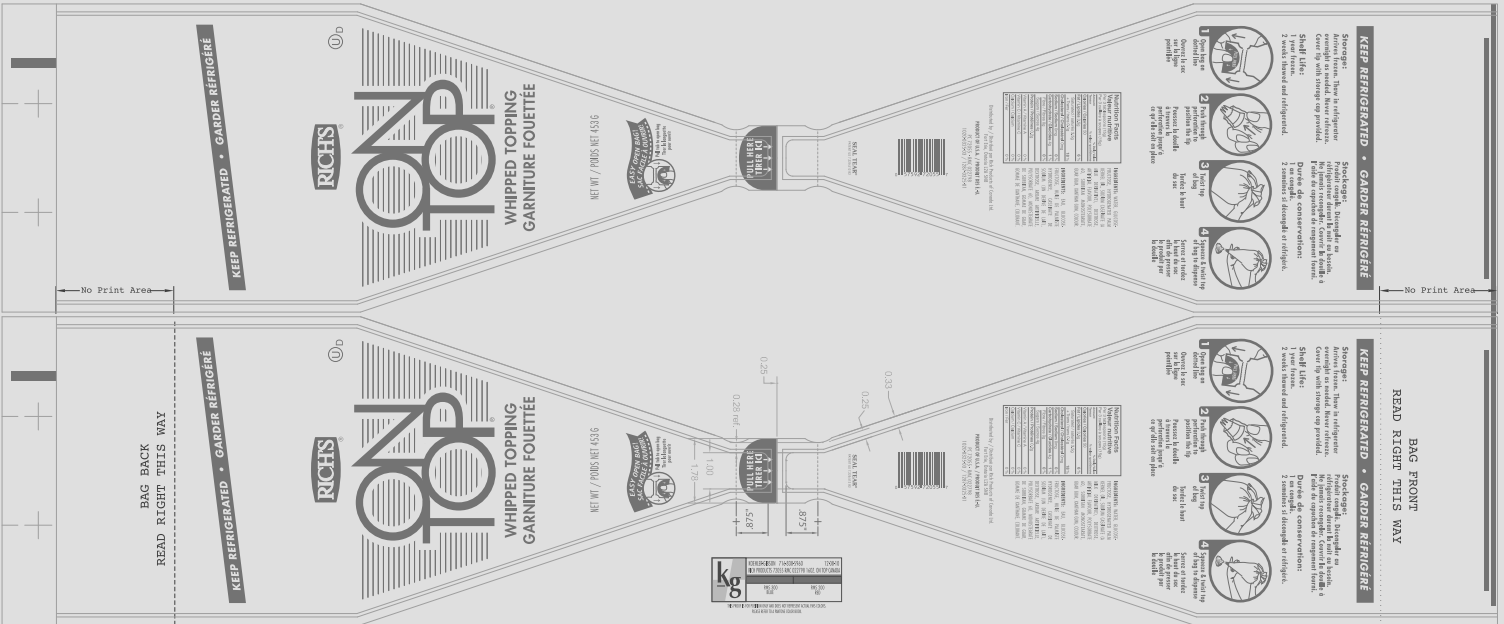


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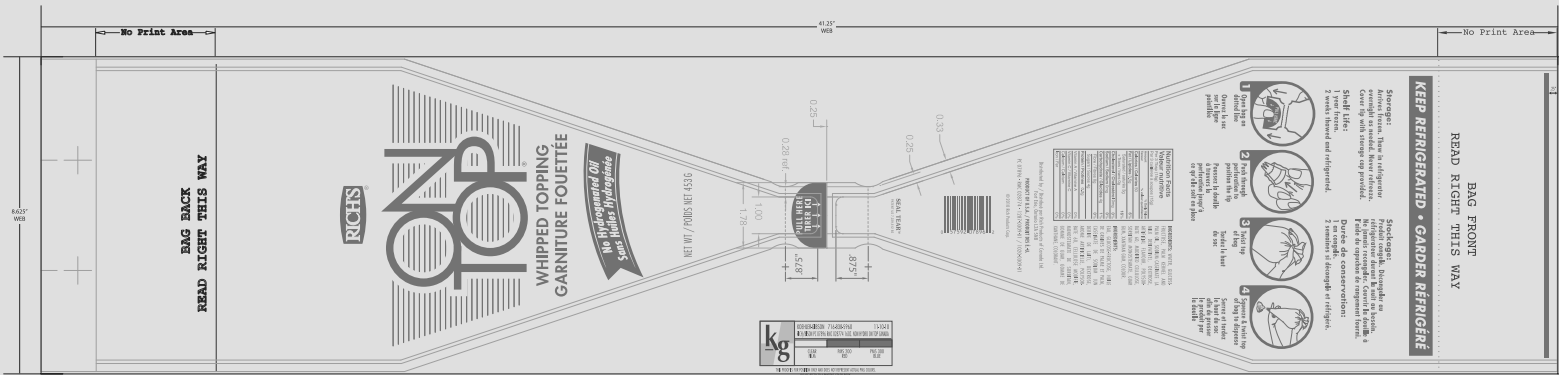




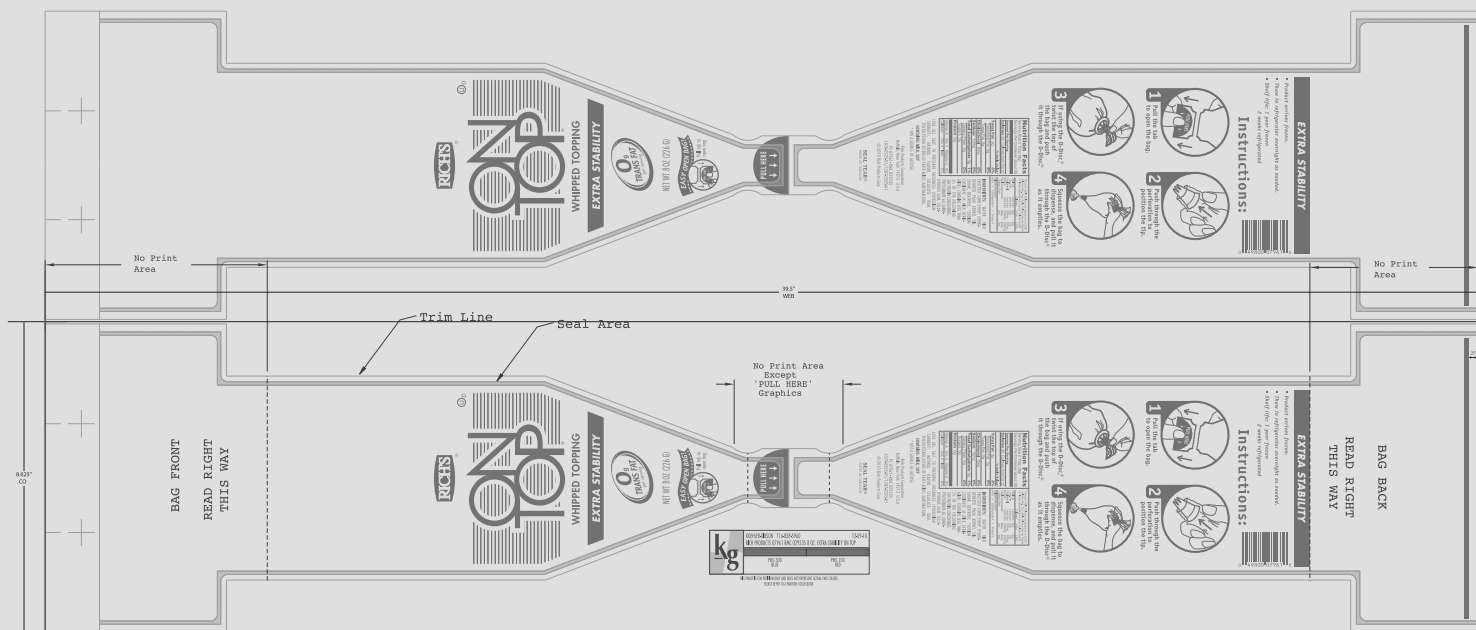




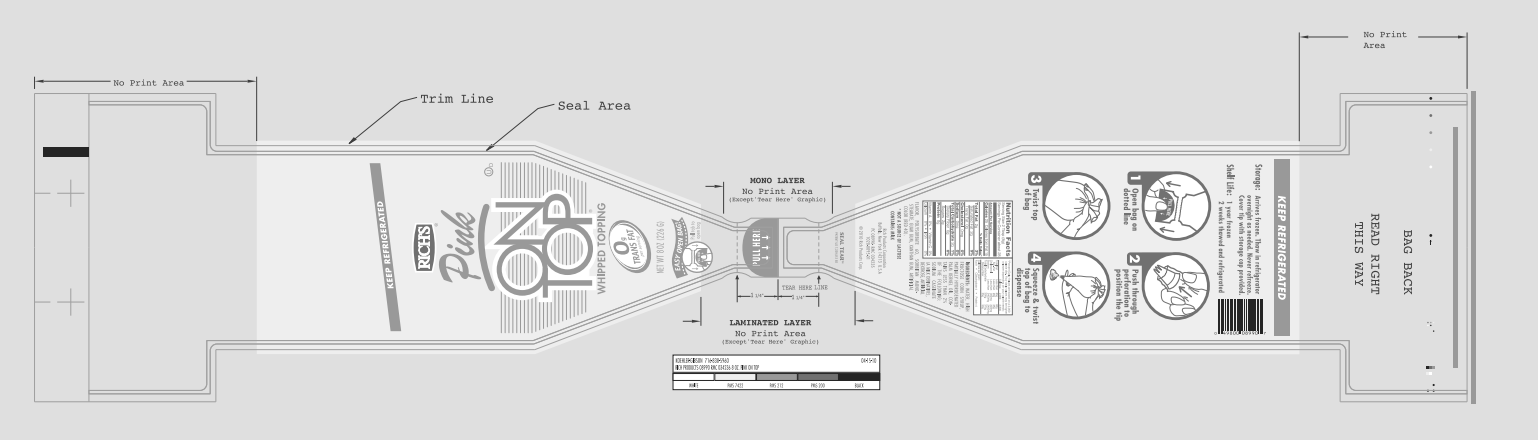




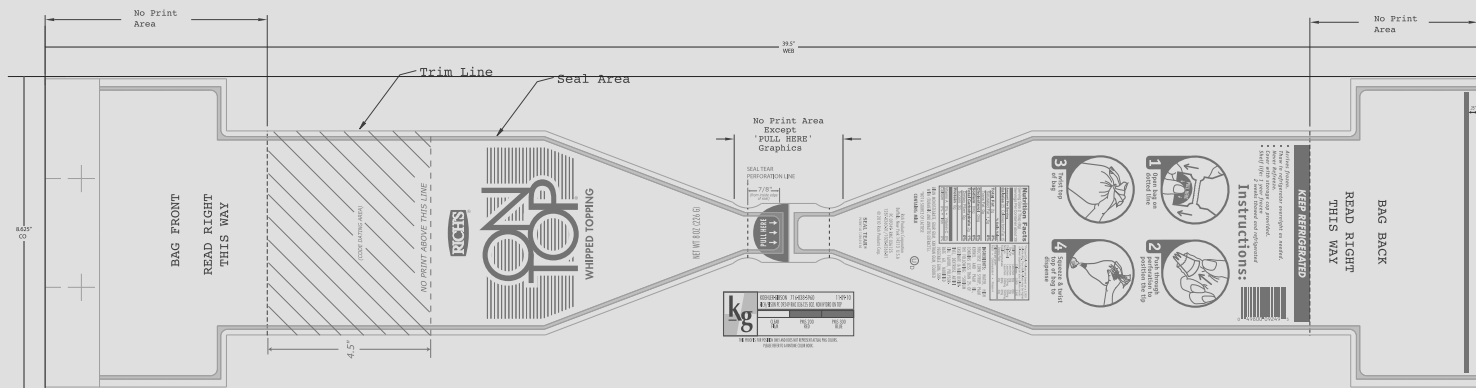
A021



A022



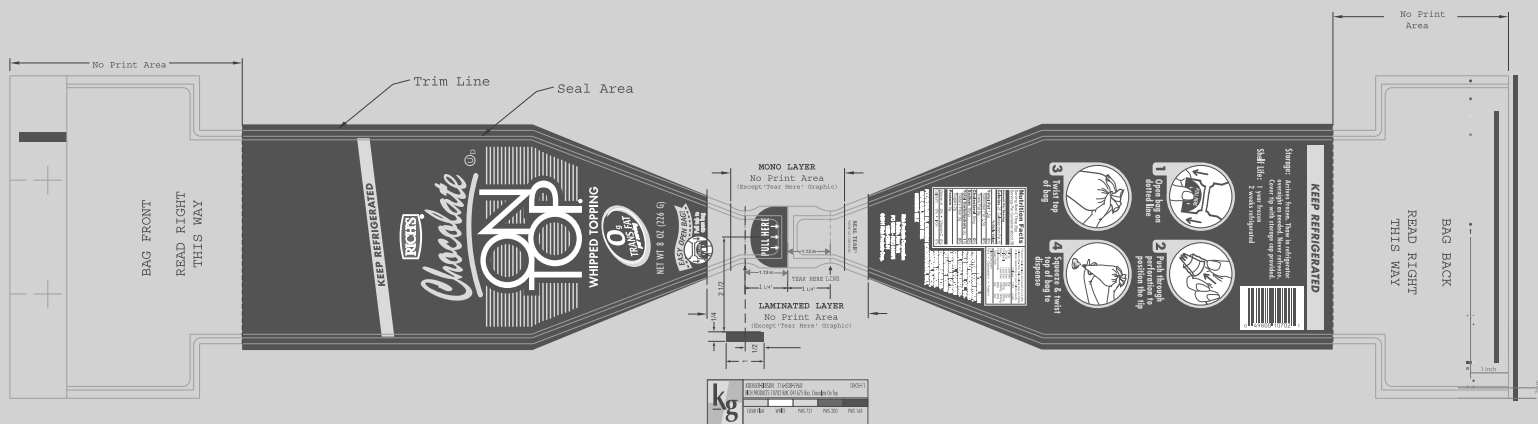




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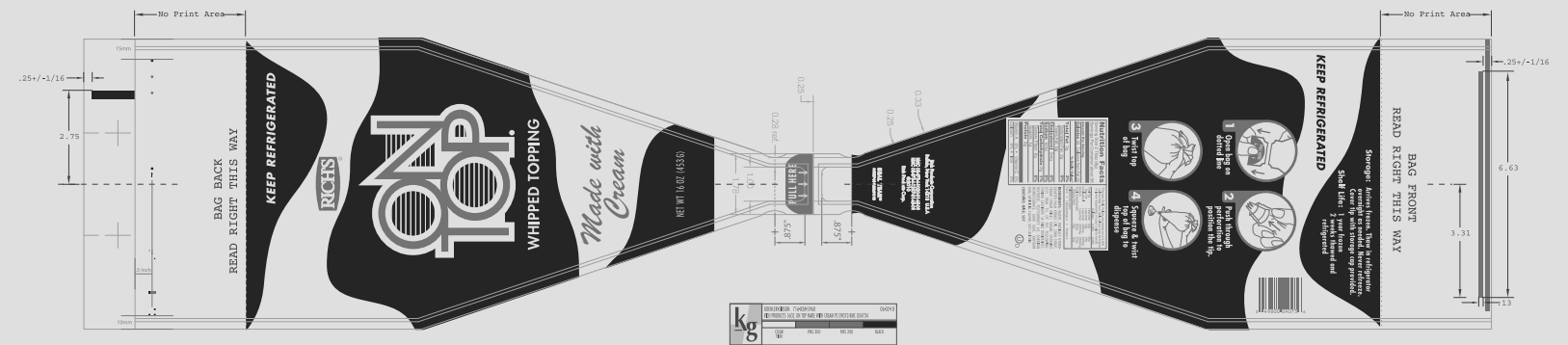






A028





A030

T.T.A.B. Opposition No. 91206921

Rich Products Corporation

v.

VegiPro Brands, LLC DBA Exposure SMI

# Malchoff Declaration Ex. B

Filed Under Seal Pursuant  
To Standard Protective Order

T.T.A.B. Opposition No. 91206921

Rich Products Corporation

v.

VegiPro Brands, LLC DBA Exposure SMI

# Malchoff Declaration Ex. C

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To Standard Protective Order

T.T.A.B. Opposition No. 91206921

Rich Products Corporation

v.

VegiPro Brands, LLC DBA Exposure SMI

**Malchoff Declaration**  
**Ex. D**



# love AT FIRST SIP

With an irresistibly fresh and creamy taste, **On Top® Whipped Topping** is the easy way to make your beverages even better - and its consistent performance and high yield are pretty irresistible, too. Learn more at [richsfoodservice.com](http://richsfoodservice.com)



## RICH'S

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Route#	Date:	Prod	AD	Proofer/Writer	AE	CD	Studio	Billing # RFS27548	Tracking # Same
		<b>Cr. Director</b> S. Martineau <b>Art Director</b> M. Sullivan <b>Copy Writer</b> S. Martineau <b>Account</b> S. Bailey <b>Production</b> A. Wood <b>Traffic</b> C. Bandstra <b>Retoucher</b> M. Maloney <b>Keyliner</b> R. Ortiz		File Name RFS27548_Rich's_LoveAtFirstSip_CoffeeAd_QSR.ai Initial Keyline Date: 8.7.14		<b>Bleed</b> 8.75" x 11.125" <b>Trim</b> 8.5" x 10.875" <b>Live</b> 7.5" x 9.875"		COLOR USE <input type="checkbox"/> CMYK	NOTES Publication: QSR Product: On Top Whipped Topping opt1 Printed @ 100% Unless Indicated
		<b>ALTS</b> 1 RO 8.7.14 2 RO 8.7.14 3 RO 8.8.14 4 mmd 08.10.14		<b>SIZE</b> 5 mmd 8.12.14					

D001

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# MOTHER'S DAY SAVINGS

Savings • Selection • Service • Seven Days A Week!

Midwest Region • May 2015



**Isabella**  
Diced  
**Tomatoes**  
Original \$14.99<sup>cs</sup>  
6/#10 30644  
Petite \$18.49<sup>cs</sup>  
6/#10 860135



**Kokuho**  
**Sushi**  
**Rice**  
\$31.49<sup>ea</sup>  
50lbs 30241



Frozen • Vannamei White  
Raw • Peeled & Deveined  
**Tail On Shrimp**  
16/20ct \$7.25<sup>lb/un</sup>  
2430185 \$14.50/lb unit  
21/25ct \$6.25<sup>lb/un</sup>  
2430186 \$12.50/2lb unit



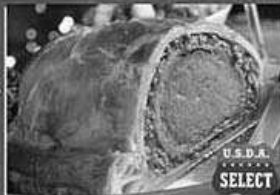
**Chef's Quality**  
**Garbanzo**  
**Beans**  
\$17.99<sup>cs</sup>  
6/#10 69811



**Gusto**  
**Smoked**  
**Buffet Ham**  
\$1.59<sup>lb/cs</sup>  
R/W 62444 \$1.69lb/unit



**BLACKBOARD SPECIALS**  
2 WEEK SALE! PRICES VALID THROUGH 5/15/15  
USDA SELECT  
PSMO  
**BEEF TENDERLOINS**  
R/W 77013 \$11.99LB/UNIT  
\$11.64<sup>LB/CS</sup>



**James Farm**  
Frozen • IQF  
**Chopped**  
**Spinach**  
\$17.99<sup>cs</sup>  
12/2lbs 7-60695-01550



**Pennant**  
Frozen  
**Puff Pastry**  
5"x5" or 10"x15"  
\$25.99<sup>cs</sup>  
15lbs 19025-11014/45569



FRESH • CRYOVAC  
BONE IN  
**PORK BUTTS**  
R/W 77046 \$1.34LB/UNIT  
\$1.19<sup>LB/CS</sup>



**Sunset**  
**Foam Hinged**  
**Containers**  
8"x8" or 9"x9"  
1 or 3 Compartment  
\$9.99<sup>cs</sup>  
150ct 760629-32  
Your Choice!



**Qualité**  
16oz  
Heat Strengthened  
**Mixing Glasses**  
\$15.99<sup>cs</sup>  
2 Dozen 2090126



**SUPREMO ITALIANO**  
**PROVOLONE**  
**CHEESE LOGS**  
FULL \$1.90<sup>LB</sup>  
R/W 2-08300-10000  
HALF \$1.95<sup>LB</sup>  
R/W 2-08301-10000



Produce prices valid through 5/15/15

**Fresh!**  
**Grape**  
**Tomatoes**  
\$3.95<sup>ea</sup>  
2lbs 40680



**Fresh!**  
**Limes**  
\$24.95<sup>cs</sup>  
40lbs 42532



**Fresh!**  
**Teen**  
**Spinach**  
\$14.95<sup>cs</sup>  
4/2.5lbs 44211



**Fresh!**  
**Spring**  
**Mix**  
\$5.79<sup>cs</sup>  
3lbs 42640



**Fresh!**  
**Medium**  
**Mushrooms**  
\$12.95<sup>cs</sup>  
10lbs 42835



With Our  
**TRIPLE**  
INSPECTION  
GUARANTEE

NOT RESPONSIBLE FOR TYPOGRAPHICAL ERRORS. PRICES MAY CHANGE WITHOUT NOTICE. WE RESERVE THE RIGHT TO LIMIT QUANTITIES. ARTWORK MAY NOT NECESSARILY REPRESENT ITEMS ON SALE. IT IS FOR DISPLAY PURPOSES ONLY. ITEMS MAY NOT BE AVAILABLE AT ALL LOCATIONS.



# GROCERIES & DRY GOODS

**Red Gold  
Marinara  
Sauce**

6/#10  
72940-11004

**\$23.99** cs



**Red Pack  
Spaghetti  
Sauce**

6/#10  
72940-82100

**\$20.49** cs



**Isabella  
Bulk  
Penne  
Pasta**

2/10lbs 7-60695-00278

**\$12.99** cs



**Bob's Redmill**

**Gluten Free Flour**

Baking **\$39.99** ea

25lbs 39978-10453.....

Pizza **\$34.99** ea

25lbs 003-99781-03949



**Heinz  
Classic  
Squeeze  
Ketchup**

16/14oz 13000-51450

**\$15.99** cs



**Woeber's  
Salad  
Style  
Mustard**

16/14oz 74680-00111

**\$15.99** cs



**Kraft  
Real  
Mayonnaise**

Gallon 21000-62419

**\$9.49** ea



**Hellmann's  
Portion Control • Stick  
Mayonnaise**

84ct 48001-36698

**\$6.99** cs



**Kikkoman  
Sushi  
Sauce**

5lb 4oz 41390-01564

**\$8.33** ea



**Cajun Chef  
Hot  
Sauce**

4/1gal 71675-12200

**\$18.99** cs



**Chef-mate  
Country • Sausage  
Gravy**

6/#10 50000-05328

**\$37.99** cs



**Kitchen Ready  
Chicken  
Broth**

12/33oz 8-54014-00259

**\$13.99** cs



**Del Sol  
Jalapeños**

**Nacho Essentials!**



Nacho Sliced or Escabeche  
Your Choice!

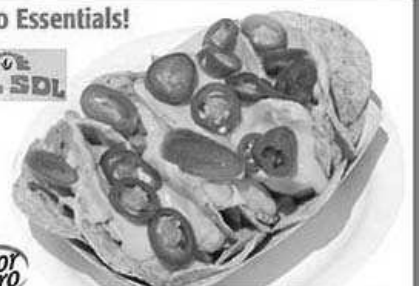
6/#10 7-42434-00115/112

**\$19.99** cs

Sabor Nuestro

**Nacho Cheese Sauce** 6/#10 7-60695-02457.....

**\$34.99** cs



**Karo  
Light  
Corn Syrup**

4/1gal  
7-61720-05180

**\$11.99** cs



**Gelatin Mix**  
Cherry, Lemon, Berry  
Blue, Orange, or Lime  
Your Choice!

6/24oz 41617-48201/03/06/02/00054

**\$13.99** cs



**Royal  
Pudding Mix**

Vanilla **\$21.99** ea

6/28oz 41617-48300

Chocolate **\$22.19** ea

6/28oz 41617-48301



# GROCERIES & DRY GOODS

**Supremo Italiano**  
Wondra  
Roasted  
Red Peppers

6/#10  
7-60695-29875  
**\$29.99** cs



**Supremo Italiano**  
Sun-dried  
Tomato  
Halves

5lbs  
7-60695-00611  
**\$14.99** cs



**Torani**  
Dessert Sauces

Caramel  
64oz 89036-85001  
**\$13.99** ea  
Chocolate  
64oz 89036-85002  
**\$12.99** ea



**Log Cabin or**  
Mrs. Butterworth  
Syrup

4/1gal  
43000-34901 / 6-44209-39716  
**\$24.99** cs  
Selection may vary by location.



**Chaokoh**  
Coconut  
Milk

24/13.5oz  
44738-01843  
**\$32.82** cs



**Blue Diamond**  
Unsweetened  
Almond  
Milk

12/32oz 41570-05413  
**\$25.99** cs

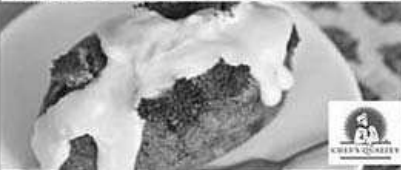


**Chef's Quality**  
Portion Control Condiments

Ketchup  
1000ct 7-60695-00288  
**\$12.49** cs  
Mustard  
500ct 7-60695-00289  
**\$6.29** ea



**Chef's Quality**  
Mild Cheddar  
Cheese Sauce **\$33.99** cs  
6/#10 7-60695-02456



**Chef's Quality**  
Capers

Capote  
6/32oz 7-60695-52715  
**\$21.99** cs  
Non Pareil  
6/32oz 7-60695-52718  
**\$37.99** cs



**Chef's Quality**  
Black  
Beans

6/#10  
7-60695-01475  
**\$18.99** cs



**Chef's Quality**  
Sliced  
Peaches

6/#10  
7-60695-02134  
**\$33.99** cs



**Chef's Quality**  
Sliced  
Apples

6/#10  
7-60695-00821  
**\$27.99** cs



**Chef's Quality**  
Egg Shade  
Food  
Coloring

4/1gal 7-60695-00076  
**\$16.99** cs



**Chef's Quality**  
Portion Control  
Sugar

2000ct  
7-60695-00485  
**\$8.99** cs

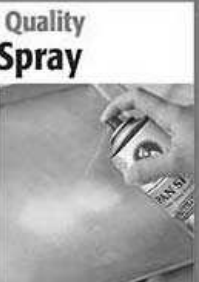


**Chef's Quality**  
Pepper  
Ground Black 5lbs 7-60695-57288  
**\$31.74** ea  
Crushed Red 3.75lbs 7-60695-57531  
**\$31.74** ea



Portion Control  
Salt  
3000ct 7-60695-00087  
**\$4.49** cs  
Portion Control  
Pepper  
3000ct 7-60695-00083  
**\$6.99** cs

**Chef's Quality**  
Pan Spray  
Water Based  
6/17oz 7-60695-00219  
**\$13.49** cs  
Oil Based  
6/17oz 7-60695-01616  
**\$14.49** cs



# GROCERIES & REFRIGERATED FOODS

**Sweet'N Low**  
2000ct 44800-52050  
**Granulated Sugar Substitute**  
**\$16.99** cs  
  
Portion Control

**Sugar in the Raw**  
2000/4.5gr 44800-50400  
**Natural Cane Turbinado Sugar**  
**\$21.99** cs  
  
Portion Control

**Lipton**  
**Iced Tea Bags**  
4/24ct 41000-00283  
**\$22.99** cs  
**Autobrew Tea**  
24/3oz 41000-20968  
**\$23.99** cs  


**Stash**  
6/30ct  
**Tea Bags All Flavors**  
**\$14.99** cs  


**Dole**  
12/46oz 38900-00808  
**Pineapple Juice**  
**\$19.99** cs  


**Coco Lopez**  
**Cream of Coconut**  
24/15oz 71845-09830  
**\$38.99** cs  


**Red Bull**  
**Energy Drink**  
Regular, Sugar Free, or Total Zero Your Choice!  
24/8.4oz 6-11269-91144/12212/61504  
**\$33.49** cs  


**Gatorade**  
24/20oz 52000-20792/90/802/781  
**Thirst Quencher**  
**\$14.99** cs  
  
Fierce, Frost, Rain, or Variety Pack Your Choice!

**Monster**  
24/16oz 70847-81123/01906/81127/00340/02184  
**Energy Drink**  
**\$27.99** cs  
  
Original, Ultra, Lo Carb, Absolutely Zero, or Ultra. Your Choice!

**Dominade**  
**Drink Mixes**  
12/21.6oz 49200-01452/53/54  
**\$16.99** cs  
  
Lemonade, Fruit Punch, or Pink Lemonade. Your Choice!

**Nestea**  
**Tea**  
Lemon or Peach Your Choice!  
24/12oz 2820330/470  
**\$5.49** cs  


**Ice Mountain**  
**Bottled Water**  
Flip Top 24/700ml 1220022  
**\$3.99** cs  


**Spangler**  
**Assorted Dum Dum Pops**  
300ct bag 30800-00060  
**\$7.69** ea  


**Individually Wrapped Baked Breakfast Pastries**  
12ct 6-94022-44012  
**\$5.19** ea  


**Athens**  
**Mini Fillo Shells**  
15ct 72196-07250  
**\$1.49** ea  
  
ATHENS

**Stouffer's**  
**Bases**  
Chicken 5lbs 74826-24014 **\$17.99** ea  
Beef 5lbs 74826-23014 **\$18.99** ea  


**Minors**  
**Bases**  
Vegetable 1lb 74826-03301 **\$3.69** ea  
Chicken or Beef 1lb 74826-45901/32901 **\$5.39** ea  


# REFRIGERATED & DAIRY

## Pierce Deli Salads

Chicken 5lbs 74960-17801  
**\$17.89** ea

Tuna 5lbs 74960-17901  
**\$18.99** ea



PIERCE CHICKEN

## Kronos Hummus

Traditional 32oz 77589-37400  
**\$4.79** ea

Roasted Red Pepper or Garlic 32oz 77589-37401/02  
**\$4.99** ea



KRONOS PRODUCTS  
Authentic Greek Foods

## Instantwhip Creamer

Non-Dairy 402ct 6-11384-81600  
**\$5.99** ea

Half & Half 402ct 6-11384-81500  
**\$9.69** ea



## Chobani Greek Yogurt

4% Plain or Fat Free  
5lbs 8-18290-01269/70  
**\$8.99** ea



CHOBANI  
GREEK YOGURT

## Sour C Imitation Sour Cream

5lbs 11384-82054 **\$4.99** ea

32lbs 11384-82040 **\$31.29** ea



## Land O'Lakes Alfredo Sauce

#10 can 34500-39049  
**\$14.59** ea



## Mascarpone Cheese

Tubs 5lbs 31142-00016  
**\$16.29** ea

Cups 12/1lbs 31142-00012 **\$40.99** cs



BELGIOIOSO

## BelGioioso

### American Grana Cheese

r/w 2-06900-30000  
**\$5.49** lb



### Crumbled Gorgonzola Cheese

5lbs 31142-86460  
**\$22.79** ea



## 120 slice • Yellow American Cheese

5lbs 34500-46151  
**\$9.89** ea



## Queso Fresco

5lbs 21724-60231  
**\$15.99** ea



## V&V Supremo

### Shredded Chihuahua

5lbs 21724-11088  
**\$17.99** ea



## Chorizo Sausage

5lbs 21724-00007  
**\$10.99** ea



## Panela Cheese Wheel

r/w 2-04438-40000  
**\$2.99** lb

## El Viajero



## Antonella/Marcotte Flavored Cheese

7-42863-02005/13/52  
**\$5.99** ea



Tomato Basil with Garlic  
Tomato and Pesto  
Kalamata Olive

## Chevrine Goat Cheese Logs

11oz Original or Garlic & Herb  
7-61657-91111/16  
**\$3.79** ea



1KG Original 7-61657-91221  
**\$12.49** ea

Crumbles 2lbs 7-61657-91201  
**\$12.39** ea

## Imported & Specialty Cheese

### Atalanta Swiss Cheese

r/w 2-06668-10000  
**\$3.49** lb



IMPORTED

### Eiffel Tower Brie Cheese Wheel

1KG 71270-35218  
**\$9.59** ea



IMPORTED

### Mill Dance • Red Wax Gouda Cheese

r/w 2-06278-70000  
**\$3.55** lb



DUTCH

### Olivia • Black Wax Parmesan Cheese

r/w 2-05913-90000  
**\$3.95** lb



DOMESTIC

### 1/8 cut Parmesan Reggiano

r/w 2-05050-90000  
**\$6.39** lb



ITALIAN

### 1/8 cut Grana Padano Cheese

r/w 2-05050-40000  
**\$5.39** lb



ITALIAN

# FROZEN FOOD DEPARTMENT

**Tyson Red Label**  
Fully Cooked • Grill Mark  
**Chicken Breast Strips**  
10lbs 23700-03191  
**\$34.99** cs

**Tyson Red Label**  
Fully Cooked • Grill Mark  
**Chicken Breast**  
10lbs 23700-02750  
**\$39.99** cs




**Big C**  
Ready to Cook  
Boneless • Breaded  
**Chicken Wings**  
10lbs 7-60695-02618  
**\$20.99** cs

**Big C**  
Ready to Cook  
Breaded  
**Chicken Fritters**  
10lbs 7-60695-02192  
**\$21.99** cs




**Mama Isabella's**  
Beef & Pork  
**Italian Meatballs**  
10lbs 7-60695-02410/2288/2289  
**\$24.99** cs

*Mama Isabella's*



**.5oz • 1oz • 2oz Your Choice!**

**Sevioli**  
**Tortellini**  
Original Cheese or Tri Color  
Your Choice!  
10lbs 74847-71122/71722  
**\$18.99** cs

**Meat** 10lbs 74847-71222  
**\$19.99** cs



**Stouffer's**  
**Lasagna**  
Vegetarian 96oz 13800-50993  
**\$10.29** un

**Meat** 96oz 13800-11466  
**\$10.99** un

**Macaroni & Cheese** 76oz 13800-43848  
**\$7.99** un



**Chef's Quality**  
**French Rolls**  
120ct 7-60695-00917  
**\$17.79** cs



**Big C**  
Premium Select • Platinum  
Coated 3/8"  
**French Fries** 30lbs 7-60695-02213  
**\$21.49** cs

**Big C**  
Zesty  
**Twister Fries** 20lbs 7-60695-02782  
**\$22.99** cs




**Big C**  
**Onion Rings**  
Breaded Homestyle 4/2lbs 7-60695-00439  
**\$11.99** cs

**Preformed** 5/2lbs 7-60695-00440  
**\$11.99** cs

**Beer Battered** 10lbs 7-60695-00437  
**\$15.99** cs



**Chef's Together**



**Hors d'Oeuvres**

**Bacon Wrapped Fillets** 24ct 7-97301-30006... **\$11.99** ea

**Bacon Wrapped Scallops** 30ct 7-97301-30007... **\$14.99** ea

**Beef Wellington** 24ct 7-97301-30011... **\$18.99** ea

**Cocktail Franks** 100ct 7-97301-30015... **\$20.29** ea

**Athens**  
Spinach & Cheese or  
Chicken & Pesto  
**Blossoms**  
50ct 72196-08124/125  
**\$11.29** ea



**Blount**  
**NEW!**  
**Macaroni & Cheese**  
8lbs 77958-29749  
**\$18.99** cs



**NEW! Bonici**  
**Extra Thin Pizza Crust**

10 inch 40ct 31400-06438... **\$15.99** cs

12 inch 40ct 31400-06440... **\$16.99** cs



# FROZEN FOOD DEPARTMENT

Sabor  
Nuestro  
Churros



50ct 7-60695-01603

**\$17.49** cs



Whip Topping

32oz 49800-08011

**\$4.09** ea

On Top Topping

16oz 49800-02559

**\$2.69** ea

Rich's



La Boulangerie des Gourmets

2/36ct 8-10732-02001

French Imported  
Macarons



**\$35.59** cs



Mini  
Vanilla Crème  
Puffs or  
Chocolate Éclairs  
Your Choice!

96ct/50ct case 7-10273-19125/19875

**\$12.29** ea

Boboli



Assorted  
Desserts

Patissa

48ct case 7-10273-10762

**\$11.29** ea



Sweet Sofia's  
Strawberry Swirl  
Cheesecake



12 slices 19454-22203

**\$13.79** ea



Chef Pierre



Chef Pierre

Pies

Sweet Potato  
or Apple 10 inch 32100-09270/267.....

**\$6.29** ea

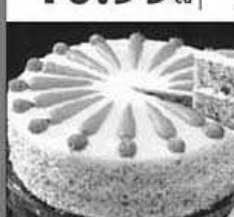
Pecan 10 inch 32100-09273.....

**\$7.29** ea

Chocolate  
Fudge  
Cake

16 slice 7-60695-02022

**\$10.99** ea



Carrot  
Cake

16 slice

7-60695-02021

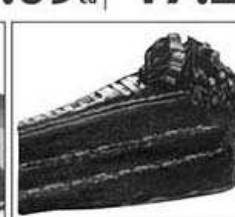
**\$13.99** ea



Chef's Quality  
Chocolate  
Mousse  
Cake

14 slice 7-60695-01657

**\$15.69** ea



Chocolate  
Outrage  
Cake

16 slice 7-60695-02024

**\$17.29** ea

Limoncello  
Cake

14 slice

7-60695-02025

**\$17.99** ea



James Farm Fruit & Vegetables

IQF • Whole  
Strawberries

10lbs 7-60695-01012

**\$12.99** cs



IQF • Cultivated  
Blueberries

5lbs 7-60695-01781

**\$10.49** ea



IQF  
Berry Blend

5lbs 7-60695-01013

**\$10.99** ea



Stir Fry  
Blend

12/2lbs 7-60695-01083

**\$22.99** cs



Broccoli  
Normandy

12/2lbs 7-60695-01031

**\$20.99** cs



IQF • Chopped  
Spinach

12/2lbs 7-60695-01550

**\$17.99** cs





# FIRE UP YOUR GRILL!

**USDA CHOICE  
Heavy  
Beef Briskets**

r/w 77021 \$3.49lb/unit

**\$3.29** LB/CS

U.S.D.A.  
CHOICE

Price valid through 5/15/15

**FROZEN \* 100 % PURE  
Ground Beef  
Hamburgers**

75149/48/46/44/50  
\$29.40/10lb case

**\$2.94** LB/CS

2:1 • 3:1  
4:1 • 5:1  
4:1 WHOPPER  
OR 6:1  
**YOUR  
CHOICE!**

**FROZEN \* BONE IN  
Center Cut  
Pork Chops**

77291/92/93  
\$24.90/10lb case

**\$2.49** LB/CS

4oz • 6oz • 8oz YOUR CHOICE!

**FRESH!  
CVP • 8 piece  
Cut Up Chicken**

r/w 77181 Case lots only.

**\$1.12** LB/CS

**ISABELLAS  
Hot or Mild  
Italian Sausage  
Rope**

1450668/69 \$9.95/5lb case

**\$1.99** LB

**RANDOLPH  
Kielbasa  
Sausage Rope**

1450442 \$7.47/3lb unit  
\$44.82/6/3lb case

**\$2.49** LB

**FROZEN WARM WATER  
Lobster Tails**

60Z  
65748

\$95.75/5lb unit **\$19.15** LB/UNIT

80Z  
65749

\$96.75/5lb unit **\$19.35** LB/UNIT

**LAND O LAKES  
120 slice • Yellow  
American  
Cheese**



5lbs 34500-46151  
**\$9.89** EA

**BUSH'S BEST  
Bean Pot  
Baked Beans**

BUSH'S  
BEST

5lbs 34500-46151  
**\$9.79** EA

**CHEFS QUALITY  
Sweet  
BBQ Sauce**

4/1gal 2020175

**\$23.99** CS

**MCCORMICK  
Grillmates Seasoning**

Montreal Chicken

23OZ 52100-01088 **\$6.99** EA

Montreal Steak

29OZ 52100-01087 **\$7.49** EA

Vegetable

20OZ 52100-14778 **\$7.99** EA

**MR. BAR B Q / CHEF MASTER**

Butane  
**Stove**

each 840529

**\$22.99** EA

Butane Fuel 4 pack 73030 **\$4.99** EA

Butane Lighter 2 pack 770515 **\$1.99** EA

**Meat  
Tenderizer**

each 60649

**\$17.99** EA

**CARBON DEL SUR  
100% All Natural  
Hardwood Lump  
Charcoal**

900275  
18lb bag

**\$9.99** EA



MWOVMSFL Panel 1

D010

**\$5 off PER GALLON**  
*to create*  
**LOVE AT FIRST BITE.**



APRIL 1–JUNE 30, 2015

Save your receipts and visit [www.ufs.com/GallonMayoOffer](http://www.ufs.com/GallonMayoOffer) for details and to redeem. Or pick up a rebate form in store.

 Where Restaurants Shop

\*Up to \$500. Offer valid April 1–June 30, 2015 on qualifying Hellmann's and Best Foods products.  
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THIS IS THE  
**ORIGINAL**



**Nathan's**  
SINCE 1916  
FAMOUS



## PREMIUM BEEF SKINLESS FRANKS

3 Sizes Available!  
5:1 • 7:1 • 8:1

**\$3.29** lb/cs

\$16.45/5 lb unit    \$32.90 2/5 lb case  
#1450202/03/04



Price valid May 1-31, 2015 at all Midwest, Ohio Valley, MidStates  
and Florida locations only.

# RED HOT savings



Fire up the grill—  
It's barbecue season, again!  
Stock up on the brands  
you can depend on  
for consistent results.

**Restaurant D**

Prices valid May 1 - 31, 2015 at all  
Midwest, Ohio Valley, MidStates,  
and Florida locations only.

MWOMNSTLE Panel 3

## KINGSFORD Charcoal

2 Pack Unit  
71600

**\$13.99<sub>ea</sub>**



## KC MASTERPIECE BBQ Sauce

4/158oz

61315/18714/93301/55670

**\$33.89<sub>cs</sub>**



## HIDDEN VALLEY Dry Ranch Dressing

18/1gal packets 61549/36070/55673/676

**\$27.99<sub>cs</sub>**



## GLAD Force Flex Can Liners

13 gallon  
100ct 2320001

**\$15.99<sub>cs</sub>**

30 gallon  
70ct 2320000

**\$16.99<sub>cs</sub>**



D012



*Premium ingredients for  
exceptional chocolate drinks  
and desserts*

A reputation for rich, intense flavors  
means consumers overwhelmingly  
prefer to order Ghirardelli branded  
products in restaurants and cafés  
across numerous categories.



Prices valid May 1 - 31, 2015 at all  
Midwest, Ohio Valley, MidStates,  
and Florida locations only.

MW0VMSFL Panel 4



White Chocolate,  
Double Chocolate,  
or Hot Cocoa  
**Frappé  
Mix**  
3lbs 7-47599-66213/200/201  
**\$11.99** ea



**Mocha Frappé  
Mix or  
Vanilla Flavored  
Premium Base**  
3lbs 7-47599-66211/74759-92105  
**\$13.99** ea

The rich flavor of Ghirardelli frappé is recognized by consumers  
and baristas as the premium choice for blended beverages.

D013

# FROZEN FISH & SEAFOOD

## Ocean Perch Fillets

2-4 or 4-6  
Your Choice!

2420053 / 2620037  
\$29.90 / 10lb case  
**\$2.99** lb/cs

6-8 2420057  
\$28.90 / 10lb case  
**\$2.89** lb/cs



## King Crab Legs

12-14 75019  
\$127.90 / 10lb case  
**\$12.79** lb/cs

16-20 2430052  
\$114.90 / 10lb case  
**\$11.49** lb/cs

20 & Up 2430054  
\$109.90 / 10lb case  
**\$10.99** lb/cs

8-12 Clusters 2430065  
\$98.89 / 11lb case  
**\$8.99** lb/cs



## Snow Crab Clusters

5-8 2430021  
\$63.90 / 10lb case  
**\$6.39** lb/cs

8 & Up 2420278  
\$66.90 / 10lb case  
**\$6.69** lb/cs



## Cold Water Lobster Tails

4oz  
2430020  
\$95.75 / 4lb unit  
**\$19.15** lb/un



## Peeled & Deveined • Raw Vannamei White Shrimp

16-20 Tail On  
2430185 \$14.50 / 2lb unit  
**\$7.25** lb/un

26-30 Tail On  
2430187 \$11.90 / 2lb unit  
**\$5.95** lb/un

26-30 Tail Off  
2430090 \$13.58 / 2lb unit  
**\$6.79** lb/un

21-25 Tail On  
2430186 \$12.50 / 2lb unit  
**\$6.25** lb/un

31-40 Tail On  
2430188 \$10.90 / 2lb unit  
**\$5.45** lb/un

31-40 Tail Off  
2430091 \$12.58 / 2lb unit  
**\$6.29** lb/un



## Shell-On • Headless Black Tiger Shrimp

16-20ct  
62757 \$29.96 / 4lb unit  
**\$7.49** lb/un

21-25ct  
62758 \$25.96 / 4lb unit  
**\$6.49** lb/un



## Pacific Whiting Fillets

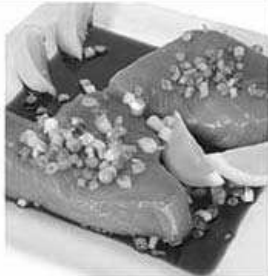
**\$1.69** lb/un  
80186 \$16.90 / 2lb unit



## Tuna Steaks

4oz  
63542 \$54.90 / 10lb case  
**\$5.49** lb/cs

6oz, 8oz, 10oz  
2420337 / 338 / 389  
\$56.90 / 10lb unit  
**\$5.69** lb/cs



## Chicken of the Sea Pasteurized Crabmeat

Claw  
1840054 1lb unit  
**\$8.95** unit

Super Lump  
1840053 1lb unit  
**\$20.75** unit

Special  
1840056 1lb unit  
**\$14.25** unit

Jumbo Lump  
1840052 1lb unit  
**\$25.95** unit



## 4oz • Skinless Pink Salmon

**\$3.49** lb/cs  
2420465 \$34.90 / 10lb case



## Crawfish

Tail Meat  
62962 / 12254  
\$7.75 / 1lb unit  
**\$7.75** lb/un

Whole Cooked  
2420120 \$8.45 / 5lb unit  
**\$1.69** lb/un



## Whole Cooked Clams

**\$1.79** ea  
2420258 1lb unit



## Chilean Black Mussels

**\$1.75** lb/un  
2420218 \$3.50 / 2lb unit



## Bay Scallops

40-60ct  
2420196 \$26.45 / 5lb unit  
**\$5.29** lb/un

60-80ct  
2420197 \$23.45 / 5lb unit  
**\$4.69** lb/un



80-120ct  
2420198 \$22.45 / 5lb unit  
**\$4.49** lb/un

## Tilapia Fillets

**\$2.59** lb/cs  
51487 \$25.90 / 10lb case



## Loligo Squid

5-8 Tubes Only  
51417 \$7.48 / 2.5lb unit  
**\$2.99** lb/un

8-12 Tubes & Tentacles  
78041 \$8.48 / 10lb case  
**\$3.39** lb/cs



## Mrs. Friday's Lobster Sensations

**\$7.99** lb/un  
62990 \$15.98 / 2lb unit



## Captain's Catch Breaded Shrimp

16-20  
2420032  
\$13.47 / 3lb unit  
**\$4.49** lb/un

21-25  
2420033  
\$12.87 / 3lb unit  
**\$4.29** lb/un

Coconut  
2420294  
\$14.07 / 3lb unit  
**\$4.69** lb/un



## Cooked Salad Shrimp

150-200ct  
2430138  
\$26.95 / 5lb unit  
**\$5.39** lb/un

250-350ct  
2430137  
\$23.95 / 5lb unit  
**\$4.79** lb/un

300-600ct  
2430136  
\$21.45 / 5lb unit  
**\$4.29** lb/un



# FRESH & FROZEN MEATS

**Fresh Pork**  
Cryovac Bone In Pork Butts r/w 77046 \$1.34lb/unit  
**\$1.19** lb/cs  
  
2 WEEK SALE! PRICE VALID THROUGH 5/15/15

**USDA Select**  
PSMO Beef Tenderloins r/w 77013 \$11.99lb/unit  
**\$11.64** lb/cs  
  
2 WEEK SALE! PRICE VALID THROUGH 5/15/15

**USDA Choice**  
Heavy Beef Briskets r/w 77021 \$3.49lb/unit  
**\$3.29** lb/cs  
  
2 WEEK SALE! PRICE VALID THROUGH 5/15/15

**Fresh Ribs**  
Cryovac Light or Medium Spare Ribs r/w 77047/48 \$2.19lb/unit  
**\$1.99** lb/cs  
  
2 WEEK SALE! PRICE VALID THROUGH 5/15/15

**Fresh Chicken**  
Boneless • Skinless Chicken Thigh Meat r/w 77082/682 Case lots only.  
**\$1.16** lb/cs  
  
2 WEEK SALE! PRICE VALID THROUGH 5/15/15

**Fresh Chicken**  
CVP • 8 Piece Cut Up Chicken r/w 77181 Case lots only.  
**\$1.12** lb/cs  
  
2 WEEK SALE! PRICE VALID THROUGH 5/15/15

**Calumet Diversified**  
Frozen • 80% Lean Fine Ground Pork r/w 21034  
**\$1.59** lb/cs  


**Frozen • Halal • Imported Lamb**  
BRN Boneless Leg of Lamb r/w 79042/22008 \$4.09lb/unit  
**\$3.89** lb/cs  
New Zealand • Frenched Rack of Lamb r/w 77156 \$8.99lb/unit  
**\$8.59** lb/cs  


**Astoria Gyros**  
20lb or 30lb Raw Gyro Cones 1524707/08 \$44.80/20lb cs \$67.20/30lb cs  
**\$2.24** lb  
Cooked Gyro Slices 1524709 \$16.95/5lb un  
**\$3.39** lb  


**Frozen Hamburgers**  
100% Pure Ground Beef Hamburgers 75149/48/46/47/44/50 \$29.40/10lb case  
**\$2.94** lb/cs  
  
2:1 • 3:1  
4:1 • 5:1  
4:1 WHOPPER  
OR 6:1  
YOUR CHOICE!

**Frozen Pork**  
Bone In Center Cut Pork Chops 77291/92/93 \$24.90/10lb case  
**\$2.49** lb/cs  
  
4oz • 6oz • 8oz YOUR CHOICE!

**Frozen Whole Lamb** r/w 62176/79669  
**\$2.99** lb/unit  


**SUPERIOR ANGUS BEEF**  
  
**Experience the Difference!**  
Superior Angus Beef  
Prices Valid Through 5/15/2015

  
**Lip-On Ribeyes** r/w 79748 \$10.09lb/unit  
**\$9.79** lb/cs

  
**Inside Top Rounds** r/w 79744 \$3.49lb/unit  
**\$3.19** lb/cs

  
**Neck Off Chuck Rolls** r/w 79758 \$3.89lb/unit  
**\$3.59** lb/cs

"For Generations, Tender, Flavorful Angus Beef Has Been Part of Our American Culinary Heritage. Now, Our Ranchers, With Years of Experience & Patient Cattle Breeding Are Proud to Bring You Their Very Best Angus Beef."

# DELI MEATS & PROVISIONS

## Black Steer Silver Label Roast Beef, Pastrami or Corned Beef

R/W 70643 /  
70631 / 70630  
\$4.99 lb/unit

**\$4.69** lb/cs



## Patrick Cudahy Virginia Ham

R/W 66720  
\$2.39lb/unit

**\$2.29** lb/cs



## Farmland Boneless • Smoked Flat Ham

R/W 70008  
\$2.99lb/unit

**\$2.79** lb/cs



## Austin Blues Cooked Pulled Pork

1500050  
\$24.45 / 5lb unit  
\$48.90 / 2/5lb case

**\$4.89** lb/cs



## Jennie-O Blue Ribbon Turkey Breast

R/W 20324  
\$2.49 lb/unit

**\$2.29** lb/un



## Carolina Turkey Breast

Special Smoked  
R/W 79009 \$2.19 lb/unit

**\$2.09** lb/cs

Oil Browned  
R/W 79831 \$3.29 lb/unit

**\$3.19** lb/cs



## Butterball Ground Turkey

1490042  
\$12.90 / 10lb unit  
\$25.80 / 2/10lb case

**\$1.29** lb/cs



## Smoked Ham

1480015 \$6.38/2lb unit

\$38.28/6/2lb case

**\$3.19** lb/cs

## Roasted Turkey

1490013 \$7.92/2lb unit

\$47.52/6/2lb case

**\$3.96** lb/cs

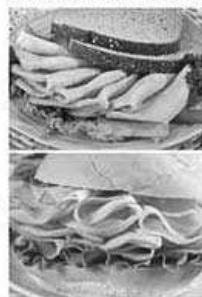
## Smoked Turkey

1490014 \$8.48/2lb unit

\$50.88 6/2lb case

**\$4.24** lb/cs

## Hormel Sliced Deli Meat



## Corned Beef

1480016 \$13.38/2lb unit

\$80.28/6/2lb case

**\$6.69** lb/cs



## Roast Beef

1500067 \$11.38/2lb unit

\$68.28/6/2lb case

**\$5.69** lb/cs

## Nathan's 5/1 • 7/1 • 8/1 Skinless Beef Hot Dogs

1450202/03/04  
\$16.95/5lb unit  
\$33.90/2/5lb case

**\$3.39** lb



## Randolph Smoked Sausage Ropes or Andouille Links

Your Choice!

1450443/44 \$4.77/3lb unit  
\$44.82/6/3lb case

**\$2.49** lb



## Gusto Economy Slice Bacon

79046  
\$20.85/ 15lb unit

**\$1.39** lb/cs



## Pre-Cooked Bacon Topping

1460031  
\$23.45 / 5lb unit  
\$46.90 / 2/5lb case

**\$4.69** lb/cs



## Morning Sunrise Pre-Cooked Breakfast Sausage

8oz • Skinless  
Links

1450317 \$20.40/10lb case

**\$2.04** lb/cs

1.6oz  
Patties

1450432 \$21.90/10lb case

**\$2.19** lb/cs

2oz  
Patties

1450315 \$21.20/10lb case

**\$2.12** lb/cs

1.5oz • Turkey  
Patties

1450397 \$25.90/10lb case

**\$2.59** lb/cs



Italian Favorites!

## Carando

## Sweet or Hot Capicola

R/W 20480/81  
\$4.89 lb/unit

**\$4.69** lb/un



## Carando

## Centurian Genoa or Hard Salami

R/W 19044/45  
\$2.79lb / unit

**\$2.69** lb/cs

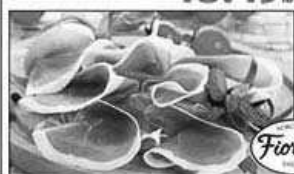


## Fiorucci

## Sliced Prosciutto

79208  
\$161.88 / 12/16oz case

**\$13.49** lb



## Fiorucci

## Sandwich Pepperoni

R/W 79367  
\$4.59 lb/unit

**\$4.39** lb/cs



## Mama Isabella's

## Sliced Pepperoni

41430  
\$10.95/5lb unit  
\$21.90/2/5lb case

**\$2.19** lb/cs



# PAPER GOODS & DISPOSABLES

## Sunset Brands

### Combination Catering Bowls

Black 80oz **\$13.99** cs  
10ct 760502

Black 160oz or 320oz **\$12.99** cs  
6ct/3ct 760503/504  
Your Choice!



### Combination Catering Trays

Black 12" 3ct 760786 **\$6.99** cs

Black 16" 3ct 760787 **\$9.99** cs

Black 18" 3ct 760788 **\$11.99** cs



## Northwest Party Essentials

### Black or Clear Deluxe Plates

6" 240ct 1170270/71 **\$36.99** cs

7.5" 240ct 1170272/73 **\$43.99** cs

9" 240ct 1170274/75 **\$65.99** cs

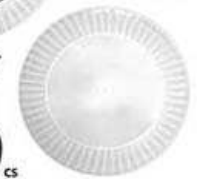
10.25" 120ct 1170276/77 **\$44.99** cs



5x7" Platter

240ct 1170278/79

**\$48.99** cs



### Parfait Cups

5oz 50ct 2070751 **\$2.49** ea

8oz 50ct 2070752 **\$2.99** ea

12oz 50ct 2070750 **\$3.49** ea



## Amhil

5-12oz Lids 50ct 2070749 **\$2.79** ea

### Banana Boats

8oz 125ct 2070753 **\$7.99** ea

12oz 125ct 2070754 **\$10.99** ea



## Northwest Party Essentials

### Plastic Serving Forks

100ct 1140137 **\$13.99** cs

Serving Spoons 100ct 1140139 **\$15.99** cs



### Black Tongs

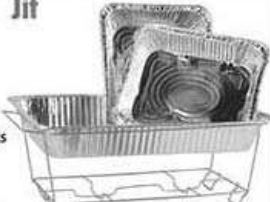
4ct 23492 **\$35.99** cs

### Deep Foil Steam Pans

Half Size 100ct 1160114 **\$17.99** cs

Full Size 50ct 1160116 **\$26.99** cs

## Jif

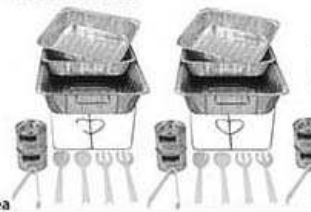


Steam Rack sold separately.

### Buffet Kit

1ct 2180044 **\$27.99** ea

## Northwest



### French Fry Bags

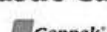
601 or 603 1M ct 23566/53175 **\$5.99** ea

Your Choice!

605 1M ct 53115 **\$8.99** ea



### 16oz Red Plastic Cups



240ct 2070605

**\$9.99** cs



## Northwest

### Plastic Champagne Flutes

120ct 23451

**\$35.99** cs



## Inteplast

### Zip Freezer Bags

Gallon Size 250ct 1150012 **\$29.99** ea

Quart Size 500ct 1150013 **\$39.99** ea



## Inteplast

### Thank You Bags

760379

**\$9.99** ea



### Sunset • 2Ply Dinner Napkins

3000ct 71549

**\$26.99** cs

### Tallfold Napkins

52569

**\$19.99** cs



Napkin Dispenser sold separately.



### Wax Paper

8"x10.75" Junior 6M ct 2170102 **\$32.99** cs

10"x10.75" Senior 6M ct 2170101 **\$40.99** cs

## Celtic



### Paper Rolls Now Register Rolls

Thermo 2 1/4" x 80" 50ct 2680132 **\$16.99** cs

Bond 3" x 165" 50ct 2680137 **\$18.99** cs

Thermo 3 1/8" x 200" 50ct 2680136 **\$43.99** cs



# CLEANING & JANITORIAL PRODUCTS

**Cascade**  
**Janitorial Essentials**  
 2Ply Jumbo Bath Tissue 12ct 1180133 **\$13.99** ea  
 Multi-fold Natural Towels 4M ct 1180132 **\$14.99** ea  
 Jumbo White Towel Rolls 12ct 1180137 **\$18.99** ea



**Skyline**  
**Cleaning Essentials**  
 RD Degreaser 4/1 Gallon 1120188 **\$13.99** ea  
 Window Magic 4/1 Gallon 50973/12751 **\$14.99** ea  
 Super RD Dish Detergent 4/1 Gallon 1120189 **\$18.99** ea



**Proctor & Gamble**  
**Magic Eraser** 4ct 2230076 **\$3.99** ea  
**Mr. Clean • No Rinse Floor Cleaner** 1 Gallon 1120178 **\$9.99** ea  
**Joy Original Dishliquid** 1 Gallon 2190036 **\$13.99** ea



**Clorox**  
**Disinfecting Spray** 19oz 35200 **\$4.99** ea  
**Clean Up** Disinfectant with Bleach 1 Gallon 55382 **\$8.99** ea  
**Green Works Pot & Pan Detergent** 1 Gallon 2230043 **\$13.99** ea



**Pinesol**  
 Original, Orange Energy, Lemon Fresh, or Lavender  
**Pinesol**  
 Your Choice! 1 Gallon 20107/2230009/32686/540017/2230079 **\$9.99** ea



**Betco**  
**Green Earth Floor Cleaner** 1 Gallon 1120215 **\$11.99** ea



**Oxiclean**  
**Oxiclean Stain Remover** 3lbs 500362 **\$6.99** ea



**Twinkle**  
**Stainless Steel Polish** 17oz 50961 **\$5.99** ea



**Easy Off**  
**Heavy Duty Cleaner Degreaser** 1 Gallon 2230147 **\$10.99** ea



**Skidoo**  
**Aerosol Insect Killer** 15oz 2260069 **\$7.99** ea



**Skyline**  
**Yellow & Green Sponges** 20ct 50940 **\$12.99** ea



**Spray Alert**  
**Trigger Spray Bottle** 3ct 1120076 **\$7.99** ea



**Continental**  
**Carpet Sweeper** 1ct 16710 **\$49.99** ea



**Skyline**  
**Large Angle Broom** 1ct 40073/2300009 **\$7.99** ea



**Wiz Kid**  
**Urinal Mat** 2ct 2290078 **\$10.99** ea



**Continental**  
**23 Gallon • Black Slim Bin** 1ct 55046 **\$26.99** ea  
**23 Gallon • Black Slim Bin Lid** 1ct 2290069 **\$21.99** ea



**Continental**  
**35Qt Mop Buckets** Blue, Green, Yellow or Red 1ct 2300238/39/2300078/230024 **\$43.99** ea  
**Medium Loopend Cotton Mop** 2ct 2300205 **\$6.99** ea  
**Blue Mop Stick** 1ct 16708 **\$7.99** ea  
**Adjustable Mop Handle** 1ct 2300271 **\$8.99** ea



# EQUIPMENT & SUPPLIES

## Chafer Roll Top

each \$89.99 ea  
63221/55804

## 7 or 8Qt Stainless Steel Madison Chafer

Your Choice!  
each \$149.99 ea  
77137/76



Other styles on sale! See store!

## Folding Chafer

each 770740  
\$32.99 ea

## 6Qt Oval Chafer

each 770953  
\$37.99 ea

## Gas Griddles

24" each 840512  
36" each 840513  
Priced  
TOO LOW  
to Print!



**Toastmaster**

## Charbroilers

24" each 840514  
36" each 840515  
Priced  
TOO LOW  
to Print!



## Edlund Can Openers with Bases

#1 \$97.99 ea  
each 60484

#2 \$79.99 ea  
each 60488



## Hamilton Beach Brushed Aluminum Finish Coffee Urns

40 Cup each 840497 \$64.99 ea

100 Cup each 840496 \$84.99 ea

Stainless Steel  
60 Cup each 840563 \$99.99 ea

Other sizes on sale! See store!



## Qualité White Cutting Boards

6"x 8"x .5" \$3.99 ea  
each 50013

15"x 20"x .5" \$12.99 ea  
each 50010

18"x 30" x .5" \$22.99 ea  
each 50012

Other sizes on sale! See store!



## Non-Stick • Stainless Steel Frying Pans

8" each 63611/65229 \$13.99 ea

10" each 63612/65230 \$19.99 ea

12" each 63613/65231 \$22.99 ea

14" each 63614/65232 \$34.99 ea

Qualité



More Styles on Sale!  
See Store!

## Fanfare Stainless Steel Flatware

Dinner Fork \$6.99 pk  
1 dzn 63827/65297

Salad Fork, Dessert Spoon  
or Bouillon Spoon \$7.99 pk  
1 dzn 63828/29/30/65299/96/300

Knives 1 dzn 63831/65298 \$9.99 pk

Qualité



More Styles on Sale!  
See Store!

## Qualité LED Signs

Coffee, Pizza or Open Your Choice!  
Oval Signs \$29.99 ea  
each 840554/55/56



Combination  
Open Signs  
each 840557

\$79.99 ea



While Supplies Last!

## Scales

5lb Portion \$39 ea  
each 840579

10lb \$79 ea  
each 840359

30lb Computing \$289 ea  
each 840312

Globe



## American Metal Craft Melamine Bowls

7" Square \$6.49 ea  
each 770971

9.5" Square \$9.49 ea  
each 770973



More Styles on Sale!  
See Store!

## Square Platters

11"x 5" 1dzn 2080379 \$44.99 cs

12"x 7 7/8" 1dzn 2080381 \$77.99 cs

11"x 7" 1dzn 2080380 \$112.99 cs

14"x7" 1dzn 2080376 \$139.99 cs

Qualité



## Square Plates

6.25" 1dzn 2080377 \$32.99 cs

9" 1dzn 2080372 \$64.99 cs

10.75" 1dzn 2080375 \$92.99 cs

More Styles on Sale!  
See Store!

## Sandwich Spreader

each 770623 \$3.99 ea

Bread, Utility or Fillet  
Knives \$6.99 ea  
each 770619/626/627

10" Cook Knives \$8.99 ea  
each 770630

Lasting Cut



## 8 Piece Cutlery Kit

each 2110159

\$64.99 set

# EQUIPMENT & SUPPLIES

**Toastmaster**  
Two Burner Hot Plate  
each 840655

24" Charbroiler Lava Rock  
each 840656

**Priced TOO LOW to Print!**



**Toastmaster**

**Nemco**  
8 Cut Wedger  
each 73093..... **\$109.99** ea

3/8" Chopper  
each 73092..... **\$149.99** ea

3/8" Tomato Slicer  
each 73094..... **\$189.99** ea



**Stick Blenders**  
7" WSB-33  
each 73085/65358..... **\$54.99** ea

14" WSB55RD  
each 65389..... **\$329** ea

16" WSB-60  
each 81149..... **\$389** ea

**Blender** **\$929** ea  
1 Gallon CB-15 63221/65447

**Waring**  
**WARING COMMERCIAL**



**WFP16SCD 4Qt Food Processor**  
each 840604 **\$679** ea

Other Styles on Sale! See store!

**Qualité**  
3 Gallon Beverage Dispenser  
each 770216

**\$18.99** ea



**Carlisle**  
**Pitchers**  
60oz Clear or Amber  
each 73185/71442/61085..... **\$2.49** ea

32oz Plastic  
each 73527/61087..... **\$3.49** ea

48oz Plastic  
each 73528/61088..... **\$4.49** ea



**Chefworks**

**Aprons**  
Bib Black  
each 2120529 **\$5.99** ea

Bib Chalk Stripe  
each 2120528 **\$7.99** ea

Bib or Bistro  
each 2120597/98 Pin Stripe **\$8.99** ea

Cool Vent Cap  
each 2120590/91 Gray or Red Trim **\$7.99** ea

**Chef Coats**  
Black - Small - XL  
Gray - Medium - 2XL  
each 2120106/07/08/09/287/288/289/290 **\$15.99** ea

Light Weight • Baggy  
**Pants**  
Small, Medium, Large, Extra Large  
each 2120553/54/55/56 **\$19.99** ea

Skullcap Beanie  
each 2120608 **\$6.99** ea

Other Styles on Sale! See store!



**Qualité**  
**Cocktail Glasses**  
8oz **\$23.99** cs  
1dzn 73109/71172

10oz **\$29.99** cs  
1dzn 81100/71200

**Champagne Glass** **\$23.99** cs  
1dzn 73296/71191

8.75 or 10.5oz White or Red Wine Glasses  
Your Choice!  
1dzn 2090229/30 **\$8.99** cs



**Qualité**  
2 Bulb Heat Lamp **\$62.99** ea  
each 840395

Full Size Food Warmer **\$89.99** ea  
each 840471

Pan insert sold separately.



**Admiral Craft**  
11Qt Round Warmer  
each 840521 **\$79.99** ea



**First Aid Essentials**  
**Burn Kits**  
Small each 770737 **\$9.99** ea

Large each 770738 **\$26.99** ea

**Burn Gel** 2pk 402 771010 **\$7.99** ea

**First Aid Kit**  
each 770848 **\$11.99** ea



**Royal Sovereign**  
**Counterfeit Detector** **\$34.99** ea  
each 840483

**Coin Sorter** **\$109** ea  
each 840600

**Counterfeit Detector/Bill Counter** **\$249** ea  
each 840599



**Admiral Craft**  
11" Stainless Steel • Perforated/Slotted or Solid  
**Spoons** **99¢** ea  
each 65273/4/5

9.5" Light Weight  
**Spring Tongs** **99¢** ea  
each 73203/65502

**Buffet Items** Your Choice!  
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Fax (414) 483-2996

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Sat: 7:00am-4:00pm • Sun: 9:00am-3:00pm

### INDIANAPOLIS, IN

2120 Enterprise Drive

Phone (317) 921-4900

Fax (317) 921-4180

Mon - Fri: 7:00am-6:00pm • Thurs: 7:00am-7:00pm  
Sat: 7:00am-4:00pm • Sun: 9:00am-3:00pm

### KANSAS CITY, MO

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Mon - Fri: 7:00am-6:00pm • Thurs: 7:00am-7:00pm  
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Fax (763) 561-0200

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Fax (651) 917-1943

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Sat: 7:00am-4:00pm • Sun: 9:00am-3:00pm

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-Bill Adkins

### Ron's Cozy Corner

Oconomowoc, WI

"Great savings, good service, and great products!"

-Ronald Eder

**SAVED \$102,000**  
in ONE year

### That's Amore

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- Personalized service
- Easy to access content
- Large Volume & Selection
- High quality items

Most importantly, the customer always comes first!

-Antonio LoPiparo

**SAVED \$212,000**  
in ONE year

### Margarita Paradise

Milwaukee, WI

**SAVED \$25,000**  
in ONE year

### Tony's BBQ

Milwaukee, WI

**SAVED \$39,000**  
in ONE year

## MOTHER'S DAY FLOWER SPECIALS!

### Tulips

10ct 40952

**\$6.95<sub>ea</sub>**

### Signature Bouquets

46055

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### Roses

1 Dozen 40522

**\$10.95<sub>dzn</sub>**



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# ConvenienceStore NEWS



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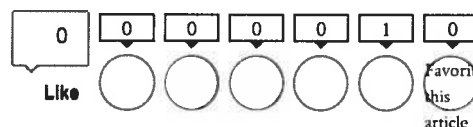
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## Rich's On Top Whipped Topping

Available in four varieties for hot or cold applications.



Rich Products Corp. introduces Rich's On Top, a whipped topping for signature beverages, desserts and more. The whipped topping is packaged in a recyclable 16-ounce



About Rich Products Corp.

City: Buffalo  
State: New York  
Contact: Ask for Sales  
Phone: (800) 356-7094  
Website:  
<http://www.richsfoodservice.com/>  
Email:

## Recent Products



New Flavored Pretzel  
Bags

Creamy, Crunchy, &  
Delicious!



Our House Gluten-Free  
Baking Mixes

Our House is the first line  
of gluten-free baking  
mixes to offer better taste  
to your customers.

D022

pastry bag with a decorator tip, and has an easy-open seal that does not require touching the dispensing tip to reduce the risk of food contamination. Available in four varieties — Original, Chocolate, Sugar-Free and Made With Cream — the whipped topping retains its shape at room temperature and is perfect for hot or cold applications like smoothies, pies, cakes, decadent pastries, pancakes, waffles and French toast, according to the maker.



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## HOW WILL YOU DO *dessert?*

Do something amazing. Innovative. Indulgent. Something that'll get patrons saying "yes please" to dessert all day. However you do it, Rich's® has what you need to do it deliciously.

Find ideas and more at [richsfoodservice.com](http://richsfoodservice.com)



### **Mini Chili-Chocolate Donut Trifle**

Turn up the heat with this spicy trifle made with Old Fashioned Cake Donuts, Crème Anglaise, Chili-Spiced Chocolate Ganache, and On Top® Whipped Topping.



### **Salted Caramel Bourbon Budino**

Made with Macadamia nut cookie crumbles, caramel Crème Anglaise, bourbon-infused salted caramel sauce and On Top® Whipped Topping, this budino is all grown up!



### **Ice Cream Cookie Sandwich**

Try a decadent take on a childhood favorite. This indulgent ice cream sandwich is made with pumpkin spice cookies and rich Crème Brûlée ice cream.



### **Frozen Hot Chocolate Espresso**

Dark and milk chocolate, Crème Anglaise, and espresso blended with ice – topped with On Top® Whipped Topping and chocolate shavings. It's a chocolate lover's paradise.

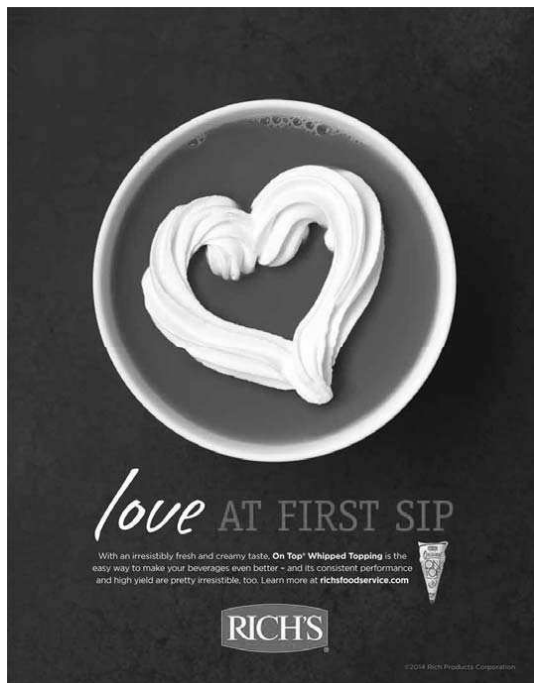


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- QSR Magazine
  - September
  - October
  - November
- Nations Restaurant News
  - September 22
  - November 17

# Digital Banner Ad



- CIA ProChef SmartBrief
  - September 25
  - October 8, 15, 28
  - November 5, 18
- NRN Quick Serve Report
  - September 17
  - October 1
- Food Management Newslinks
  - September 15
  - October 6, 20
  - November 10
- NRN Fast Casual Report
  - September 18
  - October 2

*On Top® Whipped  
Topping*

*Chili-Spiced  
Chocolate Ganache*

*Rich 'N Easy®  
Crème Anglaise*

*Old Fashioned  
Cake Donuts*

# HOW WILL YOU DO *dessert?*

Do something amazing. Innovative. Indulgent. Something that'll get patrons saying "yes please" to dessert all day. However you do it, Rich's® has what you need to do it deliciously.

Find ideas and more at [richsfoodservice.com](http://richsfoodservice.com)



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**Malchoff Declaration**  
**Ex. E**

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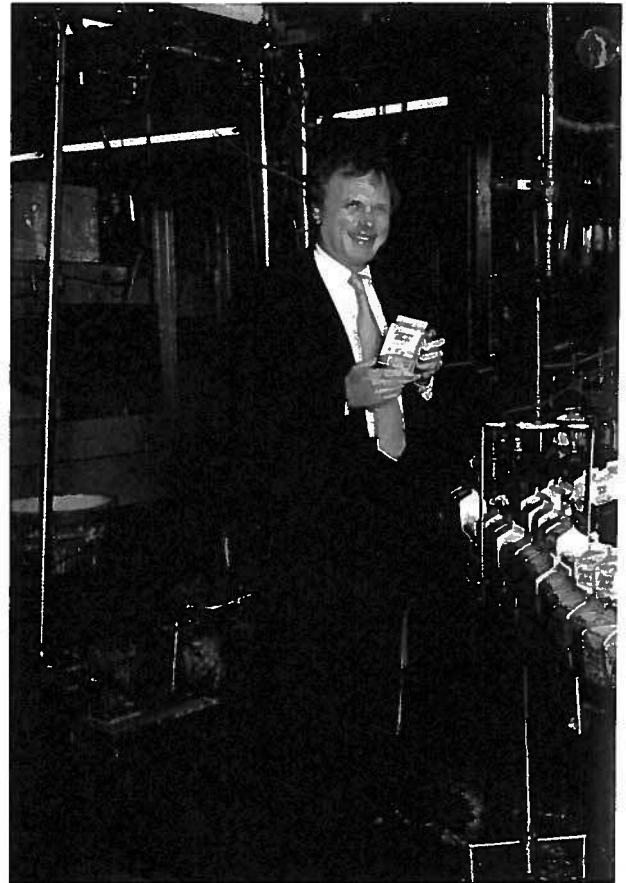
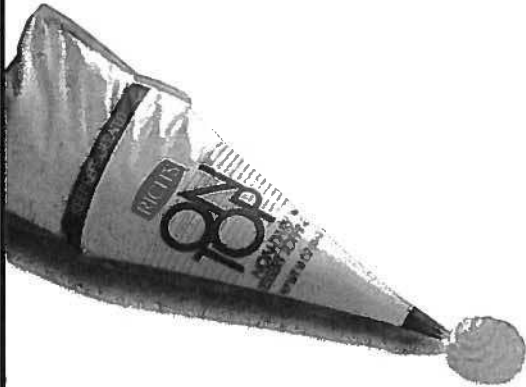
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**Malchoff Declaration**  
**Ex. G**

# 1980's

*Rich's stays  
On Top with  
sixth generation  
of original  
whip topping.*

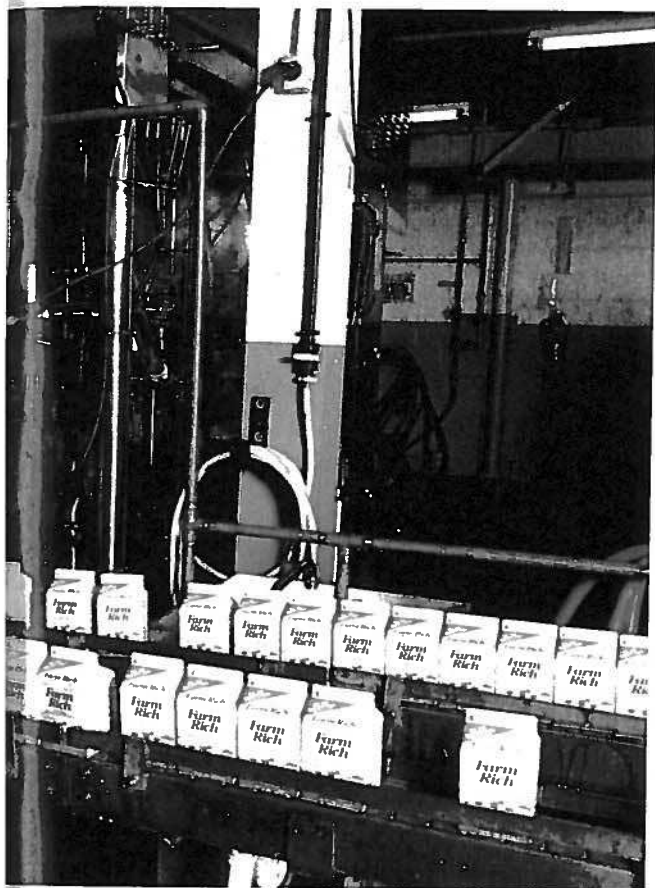


*Rich's new On Top® non-dairy whip topping® in its own pastry bag with decorator tip, left, and Farm Rich® non-dairy refrigerated creamer rolled off their respective 1986 and 1988 production lines to record-breaking sales success.*



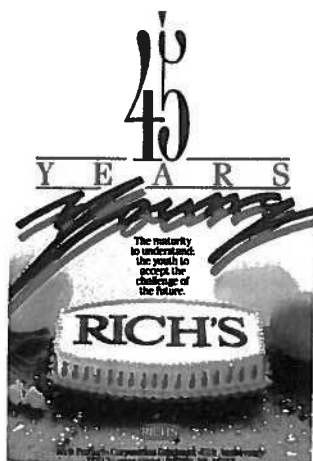
## 1990

*Rich's Chairman opens  
Associate Wellness Center.  
Mother and Child Center's  
"first class".*



*The '80s also saw Rich's re-affirm its commitment to Buffalo with the 1980 decision to build a new headquarters extension on the city's West Side, below, and the 1983 move to save the Buffalo*

*Bisons' minor league baseball franchise for Western New York, above.*



**1990**

*Rich Products marks 45th anniversary.*



**1991**

*Bob Rich Jr. welcomes Hall of Fame pitcher Jim Palmer to Buffalo during race for National League expansion.*

## Food Service Division Introduces Grand American Free No-Fat Frozen Dessert Innovation Unveiled at May NRA



As Rich's Food Service Division moves ahead into 1990 and completes its annual May participation in the National Restaurant Association trade convention in Chicago, the division has launched a major new product introduction with the unveiling of Grand American Free, a new "no-fat" frozen dessert developed by Rich Products.

The division has also targeted On Top® Non-Dairy Whip Topping and Rich's new Single Step Classics® Oven Ready Roll Dough as its priority products for the upcoming year.

Riding the crest of a rapidly rising sales wave that marked the final quarter of 1989,

the division has capitalized on that momentum and built new, more aggressive sales strategies for its products, including a national roll-out of Grand American Free along with new marketing directions for both On Top and Single Step Classics.

"Grand American Free is the latest blockbuster innovation from Rich's," said Robert E. Rich, founder and chairman of the board. "Due to our research capabilities, we have developed a frozen dessert that is fat-free. It generated a great deal of excitement at the NRA."

"On Top has continued strong growth across the country in all segments of the food

service industry," said Kevin R. Malchoff, division vice president. "In particular, significant growth came from an influx of new chain account customers. Clearly, On Top's superior convenience and high quality have made it the number one topping on the market today."

One of the new On Top Topping programs pointed to by Malchoff is a sales incentive program devised by Senior Product Manager Ron Gerlach. Called "Top The Charts," the program will give top broker and RPC division sales personnel a "chance of a lifetime" to run through a Maritz premium warehouse for one minute and carry off all the merchandise they can.

"Our overall goal for On Top in 1990 is clear," said Malchoff. "We want to have it recognized as the undisputed leader of convenience whip toppings in the country."

In regard to Single Step Classics, Rich's roll dough innovation that allows freezer-to-table convenience in under 20 minutes, Malchoff called attention to the rapid acceptance of the product in new markets throughout the country as a prime indication of things to come.

"From its preliminary introduction in three markets at the beginning of '89, to four more in June to 23 more in August, Single Step has taken off," said Malchoff.

"To date, over 150 distributors have purchased Single Step Classics. Our game plan from here is to begin production of the product in Murfreesboro and expand nationally throughout this year."



Rich's On Top® Non-Dairy Whip Topping: the dessert maker.

## Consumer Products Launches "Wave IV" Farm Rich Roll-Out

The Consumer Products Division has continued its national roll-out of Farm Rich® Non-Dairy Breakfast Creamer with the implementation of "Wave IV" distribution plans in 17 new markets.

Following a comprehensive plan to make the new product available across the country, Farm Rich is now being shipped to the following new markets: Chicago, Toledo, Detroit, Saginaw, Ft. Wayne, Grand Rapids, Indianapolis, Louisville/Lexington, Cincinnati, Cleveland, Pittsburgh, Atlanta, Charlotte, Raleigh, Richmond, South Carolina and Roanoke.



**1983** Robert Redford films "The Natural" in Buffalo's War Memorial Stadium.

**1984** Rich Products purchases Triple A Bisons.

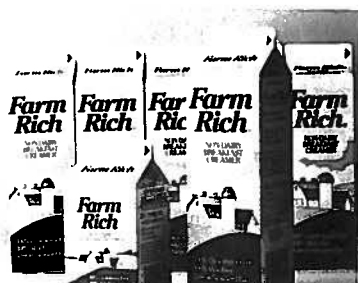


**1986** Rich's introduces On Top Non-Dairy Topping, the sixth generation of original Rich's Whip Topping.

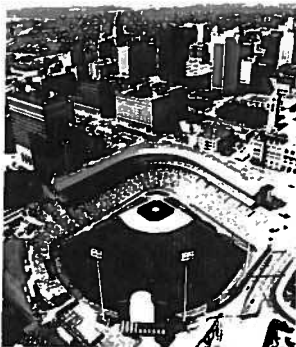


**1986** Construction is begun on new downtown baseball stadium.

**1988** Rich Products acquires Byron's barbecue specialty meats producer.



**1989** Farm Rich Non-Dairy Breakfast Creamer introduced.



**1988** Pilot Field celebrates inaugural April 14th Opening Day.



**1987** Rich Communications is founded and acquires Buffalo's first radio station.



**1989** Rich Renaissance Niagara, home of Rich Research Center, celebrates Grand Opening.



**1990** Robert E. Rich celebrates 45th anniversary as Founder and Chairman of Rich Products.

# 1990

# RICH'S

Vol. 2 No. 1

Spring 1990



# 45

YEARS OF FROZEN  
FOOD INNOVATION

G005

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# RICH'S

## Rich's Officers

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Founder & Chairman of the Board

**Robert E. Rich, Jr.**  
President  
President - Bison Baseball Inc.

**David A. Rich**  
Secretary  
Chairman & President  
Rich Communications Corporation

**Herbert R. Kusche**  
Executive Vice President

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## On The Cover

"45 Years of Frozen Food Innovation"  
Illustration by Chet Kozlowski

## About This Issue

With the arrival of 1990 and the start of a new decade, Rich Products pauses to celebrate the corporation's 45th anniversary as the frozen food industry's premier leader and innovator. Throughout its illustrious history, Rich's has been guided by Robert E. Rich and his vision for the future ... This issue of RICH'S honors that vision and explores the unlimited possibilities for the corporation and its subsidiaries which yet lie ahead.



RICH PUBLICATIONS

RICH'S 1990 corporate magazine is published for the employees and friends of Rich Products Corporation, P.O. Box 245, 1150 Niagara Street, Buffalo, New York 14240.

GRAND OPENING

RICH'S

# NILES *today*

Rich Products Corporation September 1995

## Innovation-Rich!

*Introducing Niles, Illinois...*

*... World Class Non-Dairy Products,  
Production Facility,  
'Customer-first' Team*



INSIDE: RICH'S FOUNDER AND PRESIDENT WELCOME NILES' ASSOCIATES



G007

# *Rich's Niles plant putting non-dairy pioneer On Top<sup>®</sup> with world-class products, production systems, people*

*1995 is an historic year for Rich Products as we celebrate our 50th anniversary with the grand opening of our new Niles non-dairy manufacturing facility.*

*Situated in Niles, Illinois, in strategic proximity to our growing mid-western customer base, Rich's Niles plant is yet another concrete example of our commitment to a World Class Mission of achieving new levels of competitive success in every category of business in which we operate.*



**Original 1945 Associates Herb Kusche, Robert E. Rich, Jerry Hannon and Joe Robida inspect Rich Products' new non-dairy whip topping.**

*Our tradition of excellence and innovation began in 1945 after Founder and Chairman of the*



**Rich's non-dairy production facility at 6200 Mulford St., Niles, Illinois**

*Board Robert E. Rich directed a laboratory team to search for a vegetable-based replacement for whip cream derived from a new*

*source — the soya bean.*

*While still in the development stage, the non-dairy pioneer discovered the substance could be frozen, thawed and whipped.*

*The result of Rich's breakthrough work*

*was a new product — Rich's<sup>®</sup> Whip Topping<sup>®</sup> non-dairy topping — a frozen food first which rev-*

*olutionized food processing and opened the door to a new world of non-dairy products to the frozen food industry.*

*Rich's<sup>®</sup> Whip Topping<sup>®</sup> non-dairy topping later served as the springboard for other non-dairy innovations, including Rich's<sup>®</sup> On Top<sup>®</sup> non-dairy dessert topping, the sixth-generation non-dairy whipped topping packaged in its own pastry bag with decorator tip.*

*Today, Rich's<sup>®</sup> Whip Topping<sup>®</sup> non-dairy topping and On Top<sup>®</sup> non-dairy dessert topping are*

*two Rich's signature products produced at the Niles, Illinois facility along with Bettercreme<sup>®</sup> frosting and filling, and Rich's<sup>®</sup> Coffee Rich<sup>®</sup> non-dairy creamer, the world's first non-dairy creamer.*

*The following pages offer a closer look at the Niles facility product family, its state-of-the-art production systems and its people. Welcome to the world of Rich's and welcome to Niles! Our mission is to serve you, our highly valued Rich Products' customer!*

**W**ith Rich's® On Top® non-dairy dessert topping, there's no measuring, mixing, whipping, or clean-up. Simply thaw and the product is ready to add that perfect finishing touch to any dessert.

Convenient and easy-to-use in its unique decorator bag, On Top® non-dairy dessert topping enables an operator to create rosettes, stars and shell borders among other decorating designs that taste great and last a long time!

Unmatched by conventional toppings, On Top® non-dairy dessert topping also offers operators nearly 100 percent yield...without the waste of an aerosol can.

Operators can use Rich's® On Top® non-dairy dessert topping as a filling for a cake or a cookie sandwich, as a garnish for a waffle or a torte, or as an ingredient for a pie or a drink. For great taste, stability and yield, convenience and versatility, "Rich's® On Top®, Tops Them All!"



# Rich's® On Top® Non- Dairy Dessert Topping



*SQUEEZE PLAY: Secondary Packaging team member Tracey Runnels makes sure On Top® offers versatility and that great taste is in the bag!*



VALUES

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OUR FOOD

OUR BUSINESSES

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## A Rich Heritage

### An Overview of Our Story

The story of Rich Products Corporation begins in 1935, when Robert E. Rich is the owner and operator of Wilber Farms Dairy. While later serving as Michigan's War Food Administrator, Mr. Rich learns about unique research being conducted at the George Washington Carver Institute. Soybeans, it seems, have the potential to be used for innovative new food products.



In 1945, while investigating the use of soybeans as a vegetable-based replacement for whipped cream, Mr. Rich invents Rich's® Whip Topping®, the world's first frozen, non-dairy whipped topping. The landmark creation marks the birth of Rich Products Corporation.



From the success of its whipped topping, the young company turns its focus toward development of other revolutionary products, including frozen crème puffs, frozen éclairs and the product that will make Rich's a household name, Coffee Rich®.

Today, Rich Products Corporation is a global operation, with more than 50 locations spanning six continents. Rich's began reaching outside the United States and Canada in the late 1980s and now produces more than 2,000 products sold in 112 countries around the globe. The company remains one of the largest family-owned, frozen-food manufacturers, with more than \$3.3 billion in annual sales.

### 1945: The Miracle Cream from the Soya Bean

Rich's is founded in 1945 with a startling development by Robert E. Rich Sr., who directs a laboratory team to search for a vegetable-based replacement for whipped cream that is derived from a new source – the soya bean.

During the development stage, Mr. Rich discovers that the soya bean substance can be frozen, thawed and whipped. The new product, immediately hailed as "the miracle cream from the soya bean," revolutionizes food processing and opens up a whole new world of non-dairy products to the growing frozen-food industry.



The miracle cream is called Rich's® Whip Topping® non-dairy topping and later serves as the springboard for a series of groundbreaking, non-dairy products.

### 1950s: Éclairs, Crème Puffs and Coffee Rich



With the success of "whippable" topping established, the company focuses its attention on developing more products and innovations. In 1954, Rich's introduces the first commercial line of frozen éclairs and crème puffs, for which it is still famous today.

#### Robert E. Rich Sr.



As one of the founding fathers of the frozen-food industry, Mr. Rich invented the world's first non-dairy whipped topping, Rich's® Whip Topping®, in 1945.

[Watch the Video](#)

#### Rich's Fast Facts

- \$3.3 billion annual sales
- 9,200+ associates worldwide
- Selling 2,000+ products across 112 countries
- Key product categories:

Toppings & Icings	Appetizers & Snacks
Cakes & Desserts	Bar-B-Q
Pizza	Meatballs & Pasta
Bakery Products	Gluten-Free
Breads & Rolls	Syrups & Soaked Cakes
Shrimp & Seafood	Cooking Creams



Following months of exhaustive research and development, Coffee Rich, the nation's first frozen, non-dairy creamer, hits the supermarket shelves in 1959, making Rich's a household name.

## 1960s: Expansion and Frozen Baked Goods

Sparked by demand for Rich's growing product line, the 1960s are a period of company expansion, beginning with the 1962 construction of a manufacturing plant in Fort Erie, Ontario, Canada (just minutes west of Rich's Buffalo, N.Y., headquarters). Eventually named to lead this new division of the company, known as Rich Products of Canada Ltd., is Robert E. (Bob) Rich Jr. – son of company founder – who joins Rich's in 1964 as President of the start-up subsidiary.



Frozen baked goods are added to Rich's expanding product lineup through the acquisition of Elm Tree Baking Co., of Appleton, Wis., in 1969.

## 1970s: Expansion, Diversification, Innovation



Rich's continues aggressive manufacturing expansion by acquiring nine new production sites – in California, New Jersey, Ohio and Pennsylvania – and building a new plant in Murfreesboro, Tenn. In 1976, Rich's further diversifies its food portfolio with acquisition of the SeaPak Shrimp & Seafood Company, a provider of seafood specialties based in St. Simons Island, Ga.

In 1978, Bob Rich Jr. becomes President of Rich Products Corporation. The same year, Rich's builds upon its history of success and innovation in the non-dairy segment by introducing Bettercreme® Icing and Filling. The revolutionary product changes the cake-decorating industry with its spreadable nature and shelf-stable qualities.

## 1980s: Freeze Flo, On Top, Aggressive Acquisition

During the decade, Rich's solidifies its industry leadership with two significant product innovations. In 1980, Rich's introduces Freeze Flo®, an all-natural process that allows food to remain soft while frozen or to be served straight from the freezer. And in 1986, Rich's introduces On Top® non-dairy dessert topping, which is the first topping to be packaged in a pastry bag containing its own tip. The product offers operators unprecedented levels of convenience, decorating creativity and value. Rich's continues its aggressive expansion throughout the 1980s, with purchases of frozen-food manufacturing facilities in California, Georgia, New Jersey, Michigan, Pennsylvania and Tennessee.



Rich's also continues to diversify its product offering with the purchase of frozen Italian pasta and meat specialty producer Casa di Bertacchi Corporation, of Vineland, N.J., in 1982 and the acquisition of barbecue and specialty meat producer Byron's Inc., of Gallatin, Tenn., in 1988.



Along with significant increases in its frozen-food production capabilities, the 1980s also see Rich's diversify its portfolio with the purchase of three Minor League Baseball franchises, including the Double-A Buffalo Bisons in 1983.

After joining the Rich's family, the Bisons, who return to the Triple-A ranks in 1985, put up record-breaking attendance numbers and continue to be a model minor league franchise. Rich's initial involvement with Minor League Baseball is spearheaded by Bob Rich Jr. and the company's first General Counsel, William G. (Bill) Gisel, who joins Rich's in 1982.

In 1988, Bob Rich Jr. charges Gisel with the task of extending Rich's business into foreign markets and names him Vice President of the newly formed International Division. For the next eight years, Gisel leads the company's expansion into Asia, Africa, Europe and Latin America.

## 1990s: International Expansion

Rich's continues to grow its U.S. manufacturing network with acquisitions of production sites in Massachusetts and Ohio and the construction of a new facility in Niles, Ill. Led by Gisel in his new position of Executive Vice President of International and Strategic Planning, the company in the 1990s also continues to expand into international markets by opening more than 20 sales offices in major cities throughout Asia, Europe and Latin America.



As product demand grows internationally, Rich's invests in several production facilities abroad, including Productos Rich (in 1994), one of Mexico's first frozen-dough manufacturing operations; Rich Products of South Africa (1995), which provides bakery products for distribution throughout South Africa; and Rich Products of China (1998), the company's first wholly owned, international, non-dairy production facility, which opens in Suzhou, China. Rich's international business by now includes 11 manufacturing facilities

and the company sells products in more than 80 countries around the world.

In 1996, Bill Gisel assumes the post of Chief Operating Officer and President of Rich's Food Group, positioning the company to double its size and annual revenues through organic growth, acquisitions and international expansion during the coming years.

## 2000s: Continued Growth and Success

Rich's further expands its product portfolio through acquisition and product innovation. Early in the decade, Rich's adds an impressive assortment of fully finished frozen desserts by completing the acquisitions of Jon Donaire Desserts, of Santa Fe Springs, Calif., and Mother's Kitchen Desserts, in Burlington, N.J. Rich's also bolsters its existing product lines with the acquisitions of frozen cake and bakery mix producer JW Allen & Co., in 2000, and leading donut producer Rolling Pin Manufacturing, in 2005. Additionally, Rich's expands its product line and manufacturing capabilities in Europe with the acquisition of David Powell Bakeries, in Fareham, U.K.



In 2006, following the death of his father and company founder, Robert E. Rich Sr., Bob Rich Jr. takes the reins as Chairman of Rich Products Corporation with his wife, Melinda R. (Mindy) Rich as Vice Chairman, and Bob Rich Jr. appoints Bill Gisel President and Chief Executive Officer.

Along with acquisitions, Rich's carries on a heritage of food innovation as its Research & Development team introduces several new, award-winning products, such as Rich's Della Suprema Wheat Sheeted Pizza Dough, Tiki Bay Premium Blended Beverages, Niagara Farms Premium Blended Whipped Topping, and Birthday Party Bettercreme. The Bettercreme offering opens up a revolutionary niche in the icing category as the first icing to incorporate a particulate (multicolored sequin sprinkles).

While indulgence remains at the core of Rich's product portfolio, the company also develops a focus on health- and wellness-related products by forming a strategic alliance with French Meadow Bakery, based in Minneapolis, Minn., and acquiring both

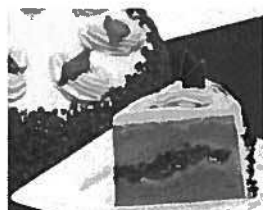


WorldCatch LLC, a provider of all-natural seafood, and GLP Manufacturing, a gluten-free baked-goods manufacturer.



## 2011 and Beyond

Rich Products Corporation kicks off 2011 with the acquisition of Celebration Foods, a leading manufacturer and distributor of frozen desserts and ice cream cakes. The Celebration Foods business brings with it a licensing agreement for Carvel-branded ice cream cakes in certain distribution channels, along with assets in manufacturing, corporate operations and R&D, plus a direct-store-distribution system.



Industry-leading product innovations continue as Rich's introduces two new whipped icings, S'mores Bettercreme and Fudge Swirl Bettercreme. S'mores Bettercreme is the first icing of its kind to incorporate both a variegate (fudge swirl) and a particulate (graham cracker crumbs), resulting in an indulgent whipped icing that brings the delicious, nostalgic s'mores experience to a cake. Fudge Swirl Bettercreme, with fudge swirled into vanilla whipped icing, offers consumers the perfect blend of chocolate and vanilla.

Rich's continues aggressive global expansion during fall 2011 with the opening of a manufacturing facility producing frozen and aseptic non-dairy creams for the bakery and foodservice industries. The state-of-the-art manufacturing platform supports Rich's overall growth strategy to further develop its Korean and other Asian businesses.

Also in 2011, Rich's is named to the list of the top 100 family-owned businesses in North America by CampdenFB magazine.

Meanwhile, the company begins planning a strategic realignment to more-effectively take advantage of global market opportunities. The conversion to one global structure sets the stage for the company to leverage its enterprise-wide infrastructure and talented workforce to facilitate the flow of knowledge and best practices across its



expanding global footprint. The major structural shift, made effective in 2012, converts the company's two separate business groups – North America and International – into one seamless, global Rich's organization consisting of five geographic operations: United States/Canada Region; Latin America Region; Asia/Pacific Region; Europe/Middle East Region; and South Africa Region.



Bob Rich Jr. continues to lead the family-owned business as its Chairman, with his wife, Melinda R. (Mindy) Rich serving as Vice Chairman and Bill Gisel serving as President and Chief Executive Officer and leader of the company's executive team with Richard Ferranti as Executive Vice President and Chief Operating Officer, leading Rich's five regional businesses.

After years of work and preparation, Rich's expands into the emerging Western Asia market with the addition of Rich's Turkey during spring 2012. In addition to presenting a huge growth opportunity within a country of 75 million people, Turkey serves as a gateway to an additional 130 million potential customers in the nearby countries of Iraq, Iran, Syria, Bulgaria and Azerbaijan.

Rich's wraps up 2012 with the acquisition of two companies, transforming its US-Canada business. Adding Gogolian Bakeries Inc., f'real foods LLC, and a joint venture, Twin Star Bakery, with business partner The Stolbun Group, brings increased depth and capabilities to Rich's diverse product portfolio. The acquisition of family-owned Gogolian Bakeries nearly triples Rich's current pizza business and provides the company with an exceptional line of par-baked pizza crusts, flatbreads and pitas, to complement its existing strength in frozen pizza dough within the foodservice channel. Giving Rich's access to a new product line and greater penetration into the high-growth convenience store segment, f'real sells authentic, high-quality milkshakes, smoothies and frozen coffee beverages. Twin Star Bakery is a new joint venture partnership between Rich's and The Stolbun Group. The addition of Twin Star's iced cookies to Rich's product portfolio allows Rich's to supply an entirely new product offering through

its in-store bakery division. Also, Twin Star's fully-finished cakes and baked cookies add to Rich's already robust selection of cakes and desserts



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/577,551  
For the Mark: BETTER ON TOP!

Rich Products Corporation,	)	
	)	
Opposer,	)	Opposition No. 91206921
	)	
v.	)	
	)	
VegiPro Brands, LLC DBA Exposure SMI,	)	
	)	
Applicant.	)	
	)	
	)	
	)	

---

**DECLARATION OF DIANE M. JACQUINOT IN SUPPORT OF OPPOSER'S  
SUPPLEMENTAL ACR TRIAL BRIEF**

**I, Diane M. Jacquinot**, declare and state as follows:

1. I am a paralegal with the firm of Fay Sharpe LLP, attorneys for the Opposer Rich Products Corporation ("RPC") and, as such, I am fully familiar with the facts and circumstances of this matter. I make this Declaration to authenticate materials that will be used in Opposer's Supplemental ACR Trial Brief.

2. Attached to this declaration collectively as Exhibit A are true and accurate copies of articles that mention RPC's ON TOP® product that I gathered from the Internet.

- *America's Largest Private Companies*, Forbes, retrieved from the Internet at [www.forbes.com/lists/2009/21/private-companies-09\\_Rich-Products\\_WOW5.html](http://www.forbes.com/lists/2009/21/private-companies-09_Rich-Products_WOW5.html) (A001);

- *Rich Products Relaunches Cinnamon On Top Whipped Topping*, Food Processing, retrieved from the Internet at [www.foodprocessing.com/vendors/products/2009/357/](http://www.foodprocessing.com/vendors/products/2009/357/) (A002-A003);
- *Rich Products Corporation*, Plunkett Research, Ltd., retrieved from the Internet at [www.plunkettresearch.com](http://www.plunkettresearch.com) (A004);
- *#164 America's Largest Private Companies*, retrieved from the Internet at [www.companieshistory.com/rich-products-presentation-video/](http://www.companieshistory.com/rich-products-presentation-video/) (A005-A009);
- *Rich's On Top® Made with Cream*, Nation's Restaurant News, retrieved from the internet at [www.nrn.com/product-watch/rich-s-top-made-cream](http://www.nrn.com/product-watch/rich-s-top-made-cream) (A010);
- *Rich's On Top Whipped Topping*, Convenience Store News, retrieved from the Internet at [www.csnews.com/product-categories/new-products-and-promotions/rick%E2%80%9C](http://www.csnews.com/product-categories/new-products-and-promotions/rick%E2%80%9C) (A011-A012); and
- *Setting New Foodservice Standards with Rich Products*, Creative Realities Inc., retrieved from the Internet at [www.creativerealities.com/richs-packaging-innovation/](http://www.creativerealities.com/richs-packaging-innovation/) (A013).

3. Attached to this declaration as Exhibit B is a true and accurate copy of a summary that I prepared showing examples of registered trademarks that were also registered with a laudatory descriptor to their primary mark to show a new, better or improved version (B001). Also attached are registration certificates issued by the United States Patent and Trademark Office for each of the registrations listed (B002-B050).

4. Attached to this declaration collectively as Exhibit C are documents that show products that had a new, better or improved version marketed on the Internet (C001-C013).

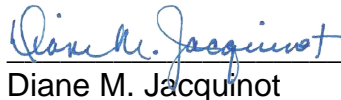
5. Attached to this declaration collectively as Exhibit D are documents that I gathered from the Internet that show companies are removing genetically modified organisms ("GMO's") from their product ingredients.

- Watson, E., *Post Unveils Non-GMO Verified Grape Nuts as General Mills Says Goodbye to GMOs in Original Cheerios*, retrieved from the Internet at [www.foodnavigator-usa.com/Manufacturers/Post-unveils-non-verified-Grape-Nuts-as-Gen-Mills-says-goodbye-to-GMOs-in-Original-Cheerios](http://www.foodnavigator-usa.com/Manufacturers/Post-unveils-non-verified-Grape-Nuts-as-Gen-Mills-says-goodbye-to-GMOs-in-Original-Cheerios) (D001-D003);
- Chow, L., *Hershey's Most Popular Chocolates Will Go GMO-Free by end of the Year*, retrieved from the Internet at [www.ecowatch.com/015/hersheys-chocolate-go-gmo-free/](http://www.ecowatch.com/015/hersheys-chocolate-go-gmo-free/) (D004);
- Roseboro, K., *Ben & Jerry's Switching to Non-GMO Ingredients*, retrieved from the Internet at [www.organicconnectmag.com/project/ben-jerrys-is-switching-to-non-gmo-ingredients/](http://www.organicconnectmag.com/project/ben-jerrys-is-switching-to-non-gmo-ingredients/) (D005-D006);
- Strom, S., *Similac Advance Infant Formula to Be Offered G.M.O.-Free*, New York Times, retrieved from the Internet at [www.nytimes.com/2015/05/26/business/similac-advance-infant-formula-to-be-offered-gmo-free.html?\\_r=0](http://www.nytimes.com/2015/05/26/business/similac-advance-infant-formula-to-be-offered-gmo-free.html?_r=0) (D007-D009);
- Shanker, D., *Taco Bell and Pizza Hut are Removing Artificial Ingredients From Many Menu Items*, retrieved from the Internet at

[www.qz.com/412517/taco-bell-and-pizza-hut-are-removing-artificial-ingredients-from-many-menu-items/](http://www.qz.com/412517/taco-bell-and-pizza-hut-are-removing-artificial-ingredients-from-many-menu-items/) (D010-D012); and

- Warga, C., *Chipotle Completes Plan to Remove GMOs From Its Menu*, Bloomberg, retrieved from the Internet at [www.bloomberg.com/news/articles/2015-04-27/chipotle-completes-plan-to-remove-gmos-from-all-its-ingredients](http://www.bloomberg.com/news/articles/2015-04-27/chipotle-completes-plan-to-remove-gmos-from-all-its-ingredients) (D013-D015).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on September 29, 2015.

  
Diane M. Jacquinet

T.T.A.B. Opposition No. 91206921

Rich Products Corporation

v.

VegiPro Brands, LLC DBA Exposure SMI

Jacquinet Declaration

Ex. A

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America's Largest Private Companies

## #161 Rich Products

10.28.09, 06:00 PM EDT

**Previous:** Quintiles Transnational**Next:** Sammons Enterprises

Rich Products ranked #163 in 2008.

**Industry:** Confectioners (retail, wholesale bakery supplier)
 One Robert Rich Way  
 Buffalo NY 14213  
 Phone: 716-878-8000  
 Fax: 716-878-8765

**CEO: William G Gisel Jr** Robert E. Rich Jr. is Chairman  
 BA Williams College  
 MBA University of Rochester
**CFO: James Deuschle**
<http://www.richs.com>  
[publicrelations@rich.com](mailto:publicrelations@rich.com)

2008 REVENUES	REVENUE CHANGE %	EMPLOYEES	FISCAL YEAR END
<b>\$2.80 bil</b>	<b>7.6</b>	<b>7,300</b>	<b>Dec</b>

With the creation of the first non-dairy topping, Rich's Whip Topping, Robert E. Rich Sr. founded this company in 1945. Rich Products Corporation is a supplier to the foodservice, in-store bakery, and retail marketplaces in more than 85 countries. The company is still owned by the Rich family. Robert E. Rich, Jr. is the company's chairman. Rich also has interests in three professional minor league baseball teams—the Buffalo Bisons, Northwest Arkansas Naturals and Jamestown Jammers.

**Brands:** Allen, Bahama Blast, Bettercreme, Byron's Barbecue, Casa DiBertacchi, Coffee Rich, Della Suprema Pizza, Farm Rich, Jon Donaire, Morningstar Food's Whipped Topping, Mother's Kitchen, Mrs. Rich's Bakery, On Top Topping, Rich's Whip Topping, Rich-SeaPak, SeaPak, Smoothie Simple

**Comparable Companies:** Dean Foods; Sara Lee**Previous:** Quintiles Transnational**Next:** Sammons Enterprises

Rank | Company | State | Industry | Revenue | Employees

**AMERICA'S  
LARGEST  
(PRIVATE COMPANIES)**
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Revenues exclude excise taxes where applicable, public subsidiaries and sales from discontinued operations. Revenues are worldwide figures.

<sup>1</sup>Pro forma figure.<sup>2</sup>Company provided estimate.<sup>3</sup>Announced plans to go public.<sup>4</sup>Agreed to be acquired.<sup>6</sup>Forbes estimate.

NA: Not applicable.

 Comparable Companies, Competitors, Customers, Suppliers: Source:  
 Capital IQ, a Standard and Poor's Business.
Hot New Stock -  
UBQU[ubqureport.com](http://ubqureport.com)
 Breaking - Little Known  
 Company Set To Explode.
**In Pictures: Singapore's Very Richest****Five Quirky Travel Gifts** ▶**In Pictures: Relentlessly Rich****Investors Eye Retail** ▶**A001**

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## Rich Products Relaunches Cinnamon On Top Whipped Topping

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Foodservice operators can quickly and easily spice up their fall and winter menus - and sweeten sales – with **Rich's Real Cinnamon On Top Whipped Topping** from Buffalo, N.Y.-based **Rich Products Corp.**

Back by popular demand, this non-dairy whipped topping is made with real cinnamon, making it the perfect addition or finish to a variety of seasonal and holiday menu applications.

“In today’s economy, operators are turning up the heat on low cost menu innovations,” says Sonali Ranjane, marketing manager. “Using Real Cinnamon On Top is one of the easiest and most cost effective ways to customize a variety of menu items throughout all day parts. Not only does a specialty topping demonstrate additional value and a point of difference to consumers, but a cinnamon topping offers customers the cravable comfort consumers seek in the fall and winter months.”

Real Cinnamon On Top is versatile, enabling operators the flexibility to use it as an ingredient to add excitement to existing menu items; as a topper to help drive profits; and even as the core of an entirely new item. Everyday desserts, breakfast staples and beverages instantly become fresh, featured seasonal menu items with the addition of a dollop. Research proves over and over that adding a dollop enhances value (and higher margins) that customers are willing to pay for. Plus, Real Cinnamon On Top’s easy-to-use pastry bag format with decorator tip and 100% yield allows anyone in the kitchen or behind the bar to handle the product without worrying about mistakes or waste...simply thaw, pull “easy open” tear seal and use.



<b>Category:</b>	<b>New Food Products</b>
<b>Product Type:</b>	<b>Dairy</b>
<b>Manufacturer:</b>	<b>Rich Products Corp.</b>

## Company Information

**Rich Products Corp.>**

Website: [www.rich.com](http://www.rich.com)

---

## Other Products by Rich Products Corp.

---



Farm Rich Introduces Five New Microwavable Snacks for Summer 2014

---

Easy-to-prepare seafood dishes add spice to a boring diet

**RICH PRODUCTS CORPORATION**

www.richs.com

Industry Group Code: 311410 Ranks within this company's industry group: Sales: 4 Profits:

Retailing:	Specialty Services:	Distribution:	Beverages:	Specialty Products:	Food Products:
Supermarkets:	Specialty Services:	Grocery Wholesale:	Soda/Juices:	Tobacco:	Packaged Food:
Mail Order:	Information Systems:	Restaurant Wholesale:	Water:	Candy:	Frozen Food:
Specialty Stores:	AgriBio:	Other:	Beer:	Gum:	Processor:
Discount:	E-Commerce:	Import/Export:	Wine:	Coffee:	Dairy:
Restaurants:	Food Service:		Liquor:	Tea:	Meat:
Convenience Stores:			Sports Beverages:	Nutrition Bars:	Agriculture:

**TYPES OF BUSINESS:**

Food Manufacturing-Miscellaneous  
Frozen Foods  
Specialty Desserts  
Catering Services  
Logistics Services  
Travel Agency  
Country Club Operations  
Minor League Baseball Teams

**BRANDS/DIVISIONS/AFFILIATES:**

Buffalo Bisons  
Jamestown Jammers  
Palm Beach National Golf and Country Club  
Travel Team  
ROAR Logistics  
Be Our Guest, Ltd.  
Rich Renaissance Catering  
Green Turtle Inn Restaurant

**CONTACTS:** *Note: Officers with more than one job title may be intentionally listed here more than once.*

William G. Gisel, Jr., CEO  
William G. Gisel, Jr., Pres.  
James Deuschle, CFO/Exec. VP  
Wendy Barth, Sr. VP-Mktg.  
Wendy Barth, Sr. VP-R&D, Int'l  
Maureen O. Hurley, Chief Admin. Officer/Exec. VP  
Lisa Texido, Media Relations Specialist  
Melinda Rich, Vice Chmn.  
Richard M. Ferranti, Pres., North America Bus. Group  
Jack C. Kilgore, Pres., Consumer Brands Div.  
Ted Rich, Pres., Foodservice Div.  
Robert E. Rich, Jr., Chmn.  
Kevin R. Malchoff, Pres., Int'l Bus. Group

Phone: 716-878-8000 Fax: 716-878-8765

Toll-Free: 800-457-4247

Address: 1 Robert Rich Way, Buffalo, NY 14213 US

**GROWTH PLANS/SPECIAL FEATURES:**

Rich Products Corporation produces non-dairy frozen food products. Rich has a product line consisting of over 2,000 food items that are available in nearly 75 countries. The company manufactures and markets a variety of products, including toppings and icings; finished desserts; breads and rolls; sweet goods; pizza products; barbecue; appetizers; beverages; Italian specialties; and shrimp and seafood. Rich's brands include Rich's Whip Topping, On Top, Bettercreme, SeaPak, WorldCatch, Farm Rich, Casa Di Bertacchi, Battistoni, Byron's Barbecue, Tiki Bay, Jon Donaire and Mother's Kitchen. In addition to its food business, the corporation's other subsidiaries include minor league baseball teams, such as the Buffalo Bisons and Jamestown Jammers; the Palm Beach National Golf and Country Club; the Travel Team travel agency; ROAR Logistics; and Be Our Guest, Ltd., which operates Rich Renaissance Catering, The Glen Iris Inn, Green Turtle Inn Restaurant, Rich's Red Brick Market, Pettibones Grill, Kayio Restaurant and Dessert Builders. The company prides itself on being an innovator in the food market, with the development of such products as Della Supreme self-rising pizza dough and Bahama Blast, the first ready-to-use frozen drink mix that does not separate when mixed with other liquids. In February 2008, Rich introduced One Touch single serve desserts, which allow quick serve locations to efficiently prepare single servings of fresh baked desserts. In October 2008, the firm introduced the industry's first countertop refrigerated whipped topping dispenser, intended for convenience store beverage bars.

Rich offers its employees tuition reimbursement, adoption assistance, a dependent care spending account, flexible scheduling, relocation assistance, a confidential assistance program, free parking and medical, dental and life insurance. The world headquarters houses a Weight Watcher's program, a wellness center, on-site chair massages, home meal replacements, an on-site day care center, a credit union, company discounts and an on-site choice of cafe/bakery, restaurant and cafeteria.

**FINANCIALS:** Sales and profits are in thousands of dollars—add 000 to get the full amount. 2008 Note: Financial information for 2008 was not available for all companies at press time.

2008 Sales: \$	2008 Profits: \$
2007 Sales: \$2,650,000	2007 Profits: \$
2006 Sales: \$2,400,000	2006 Profits: \$
2005 Sales: \$2,000,000	2005 Profits: \$
2004 Sales: \$1,900,000	2004 Profits: \$

U.S. Stock Ticker: Private  
Int'l Ticker: Int'l Exchange:  
Employees: 7,200  
Fiscal Year Ends: 12/31  
Parent Company:

**SALARIES/BENEFITS:**

Pension Plan:	ESOP Stock Plan:	Profit Sharing:	Top Exec. Salary: \$	Bonus: \$
Savings Plan: Y	Stock Purch. Plan:		Second Exec. Salary: \$	Bonus: \$

**OTHER THOUGHTS:**

Apparent Women Officers or Directors: 4  
Hot Spot for Advancement for Women/Minorities: Y

**LOCATIONS: ("Y" = Yes)**

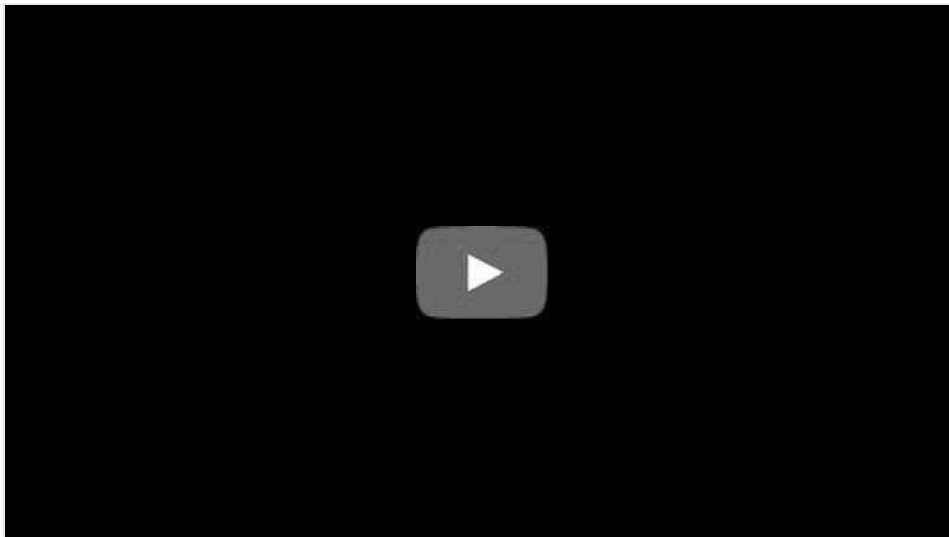
West:	Southwest:	Midwest:	Southeast:	Northeast:	International:
Y	Y	Y	Y	Y	Y

Note: Financial information, benefits and other data can change quickly and may vary from those stated here.

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"Revenue **\$3 B** As of December 2013

At a Glance

- Industry: **Food, Drink & Tobacco**
- Founded: **1945**
- Country: **United States**

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- Employees: **9,000**
- Fiscal Year End: **Dec 31, 2012**
- Sales: **\$3 B**
- Headquarters: **Buffalo, NY**

Forbes Lists

#164 America's Largest Private Companies

#### Profile

With the creation of the first non-dairy topping, Rich's Whip Topping, Robert E. Rich Sr. founded this company in 1945. Rich Products Corporation is a supplier to the foodservice, in-store bakery, and retail marketplaces in 100 countries. Today the company makes a variety of products from toppings and desserts to pizzas and breads. The company is still owned by the Rich family. Robert E. Rich, Jr. is the company's chairman. Rich also has interests in three professional minor league baseball teams—the Buffalo Bisons, Northwest Arkansas Naturals and Jamestown Jammers."

#### INDUSTRIES

✦ Advertising	(5)
✦ Aerospace & Defense	(20)
✦ Air Courier	(3)
✦ Airline	(18)
✦ Aluminum	(4)
✦ Apparel/Accessories	(24)
✦ Apparel/Footwear Retail	(8)
✦ Auto & Truck Manufacturers	(66)
✦ Auto & Truck Parts	(26)
✦ Beverages	(31)
✦ Biotechs	(8)
✦ Broadcasting & Cable	(18)
✦ Business & Personal Services	(36)
✦ Business Products & Supplies	(7)
✦ Casinos & Gaming	(4)
✦ Communications Equipment	(14)
✦ Computer & Electronics Retail	(1)
✦ Computer Hardware	(8)
✦ Computer Services	(23)
✦ Computer Storage Devices	(4)
✦ Conglomerates	(32)
✦ Construction Materials	(20)
✦ Construction Services	(40)
✦ Consumer Electronics	(15)
✦ Consumer Financial Services	(8)
✦ Containers & Packaging	(6)
✦ Department Stores	(7)

A005

## “An Overview of Our Story

The story of Rich Products Corporation begins in 1935, when Robert E. Rich is the owner and operator of Wilber Farms Dairy. While later serving as Michigan's War Food Administrator, Mr. Rich learns about unique research being conducted at the George Washington Carver Institute. Soybeans, it seems, have the potential to be used for innovative new food products.

In 1945, while investigating the use of soybeans as a vegetable-based replacement for whipped cream, Mr. Rich invents Rich's® Whip Topping®, the world's first frozen, non-dairy whipped topping. The landmark creation marks the birth of Rich Products Corporation.

From the success of its whipped topping, the young company turns its focus toward development of other revolutionary products, including frozen crème puffs, frozen éclairs and the product that will make Rich's a household name, Coffee Rich®.

Today, Rich Products Corporation is a global operation, with more than 50 locations spanning six continents. Rich's began reaching outside the United States and Canada in the late 1980s and now produces more than 2,000 products sold in 112 countries around the globe. The company remains one of the largest family-owned, frozen-food manufacturers, with more than \$3.3 billion in annual sales.

### 1945: The Miracle Cream from the Soya Bean

Rich's is founded in 1945 with a startling development by Robert E. Rich Sr., who directs a laboratory team to search for a vegetable-based replacement for whipped cream that is derived from a new source – the soya bean.

During the development stage, Mr. Rich discovers that the soya bean substance can be frozen, thawed and whipped. The new product, immediately hailed as “the miracle cream from the soya bean,” revolutionizes food processing and opens up a whole new world of non-dairy products to the growing frozen-food industry.

The miracle cream is called Rich's® Whip Topping® non-dairy topping and later serves as the springboard for a series of groundbreaking, non-dairy products.

### 1950s: Éclairs, Crème Puffs and Coffee Rich

With the success of “whippable” topping established, the company focuses its attention on developing more products and innovations. In 1954, Rich's introduces the first commercial line of frozen éclairs and crème puffs, for which it is still famous today.

Following months of exhaustive research and development, Coffee Rich, the nation's first frozen, non-dairy creamer, hits the supermarket shelves in 1959, making Rich's a household name.

### 1960s: Expansion and Frozen Baked Goods

Sparked by demand for Rich's growing product line, the 1960s are a period of company expansion, beginning with the 1962 construction of a manufacturing plant in Fort Erie, Ontario, Canada (just minutes west of Rich's Buffalo, N.Y., headquarters). Eventually named to lead this new division of the company, known as Rich Products of Canada Ltd., is Robert E. (Bob) Rich Jr. – son of company founder – who joins Rich's in 1964 as President of the start-up subsidiary.

Frozen baked goods are added to Rich's expanding product lineup through the acquisition of Elm Tree Baking Co., of Appleton, Wis., in 1969.

### 1970s: Expansion, Diversification, Innovation

Rich's continues aggressive manufacturing expansion by acquiring nine new production sites – in California, New Jersey, Ohio and Pennsylvania – and building a new plant in Murfreesboro, Tenn. In 1976, Rich's further diversifies its food portfolio with acquisition of the SeaPak Shrimp & Seafood Company, a provider of seafood specialties based in St. Simons Island, Ga.

In 1978, Bob Rich Jr. becomes President of Rich Products Corporation. The same year, Rich's builds

✦ Discount Stores	(7)
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✦ Diversified Insurance	(26)
✦ Diversified Metals & Mining	(25)
✦ Diversified Utilities	(6)
✦ Drug Retail	(2)
✦ Electric Utilities	(40)
✦ Electrical Equipment	(14)
✦ Electronics	(26)
✦ Environmental & Waste	(2)
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✦ Food Retail	(25)
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✦ Healthcare Services	(15)
✦ Heavy Equipment	(23)
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✦ Household/Personal Care	(31)
✦ Insurance Brokers	(4)
✦ Internet & Catalog Retail	(4)
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✦ Iron & Steel	(14)
✦ Life & Health Insurance	(15)
✦ Major Banks	(36)
✦ Managed Health Care	(5)
✦ Medical Equipment & Supplies	(17)
✦ Natural Gas Utilities	(8)
✦ Oil & Gas Operations	(53)
✦ Oil Services & Equipment	(17)
✦ Other Industrial Equipment	(22)
✦ Other Transportation	(19)
✦ Paper & Paper Products	(7)
✦ Pharmaceuticals	(27)
✦ Precision Healthcare Equipment	(4)

upon its history of success and innovation in the non-dairy segment by introducing Bettercreme® Icing and Filling. The revolutionary product changes the cake-decorating industry with its spreadable nature and shelf-stable qualities.

### 1980s: Freeze Flo, On Top, Aggressive Acquisition

During the decade, Rich's solidifies its industry leadership with two significant product innovations. In 1980, Rich's introduces Freeze Flo®, an all-natural process that allows food to remain soft while frozen or to be served straight from the freezer. And in 1986, Rich's introduces On Top® non-dairy dessert topping, which is the first topping to be packaged in a pastry bag containing its own tip. The product offers operators unprecedented levels of convenience, decorating creativity and value. Rich's continues its aggressive expansion throughout the 1980s, with purchases of frozen-food manufacturing facilities in California, Georgia, New Jersey, Michigan, Pennsylvania and Tennessee.

Rich's also continues to diversify its product offering with the purchase of frozen Italian pasta and meat specialty producer Casa di Bertacchi Corporation, of Vineland, N.J., in 1982 and the acquisition of barbecue and specialty meat producer Byron's Inc., of Gallatin, Tenn., in 1988.

Along with significant increases in its frozen-food production capabilities, the 1980s also see Rich's diversify its portfolio with the purchase of three Minor League Baseball franchises, including the Double-A Buffalo Bisons in 1983.

After joining the Rich's family, the Bisons, who return to the Triple-A ranks in 1985, put up record-breaking attendance numbers and continue to be a model minor league franchise. Rich's initial involvement with Minor League Baseball is spearheaded by Bob Rich Jr. and the company's first General Counsel, William G. (Bill) Gisel, who joins Rich's in 1982.

In 1988, Bob Rich Jr. charges Gisel with the task of extending Rich's business into foreign markets and names him Vice President of the newly formed International Division. For the next eight years, Gisel leads the company's expansion into Asia, Africa, Europe and Latin America.

### 1990s: International Expansion

Rich's continues to grow its U.S. manufacturing network with acquisitions of production sites in Massachusetts and Ohio and the construction of a new facility in Niles, Ill. Led by Gisel in his new position of Executive Vice President of International and Strategic Planning, the company in the 1990s also continues to expand into international markets by opening more than 20 sales offices in major cities throughout Asia, Europe and Latin America.

As product demand grows internationally, Rich's invests in several production facilities abroad, including Productos Rich (in 1994), one of Mexico's first frozen-dough manufacturing operations; Rich Products of South Africa (1995), which provides bakery products for distribution throughout South Africa; and Rich Products of China (1998), the company's first wholly owned, international, non-dairy production facility, which opens in Suzhou, China. Rich's international business by now includes 11 manufacturing facilities and the company sells products in more than 80 countries around the world.

In 1996, Bill Gisel assumes the post of Chief Operating Officer and President of Rich's Food Group, positioning the company to double its size and annual revenues through organic growth, acquisitions and international expansion during the coming years.

### 2000s: Continued Growth and Success

Rich's further expands its product portfolio through acquisition and product innovation. Early in the decade, Rich's adds an impressive assortment of fully finished frozen desserts by completing the acquisitions of Jon Donaire Desserts, of Santa Fe Springs, Calif., and Mother's Kitchen Desserts, in Burlington, N.J. Rich's also bolsters its existing product lines with the acquisitions of frozen cake and bakery mix producer JW Allen & Co., in 2000, and leading donut producer Rolling Pin Manufacturing, in 2005. Additionally, Rich's expands its product line and manufacturing capabilities in Europe with the acquisition of David Powell Bakeries, in Fareham, U.K.

In 2006, following the death of his father and company founder, Robert E. Rich Sr., Bob Rich Jr. takes the reins as Chairman of Rich Products Corporation with his wife, Melinda R. (Mindy) Rich as Vice Chairman, and Bob Rich Jr. appoints Bill Gisel President and Chief Executive Officer.

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✦ Recreational Products	(6)
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✦ Rental & Leasing	(3)
✦ Restaurants	(8)
✦ Security Systems	(4)
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✦ Specialized Chemicals	(25)
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✦ Tobacco	(6)
✦ Trading Companies	(9)

Along with acquisitions, Rich's carries on a heritage of food innovation as its Research & Development team introduces several new, award-winning products, such as Rich's Della Suprema Wheat Sheeted Pizza Dough, Tiki Bay Premium Blended Beverages, Niagara Farms Premium Blended Whipped Topping, and Birthday Party Bettercreme. The Bettercreme offering opens up a revolutionary niche in the icing category as the first icing to incorporate a particulate (multicolored sequin sprinkles).

While indulgence remains at the core of Rich's product portfolio, the company also develops a focus on health- and wellness-related products by forming a strategic alliance with French Meadow Bakery, based in Minneapolis, Minn., and acquiring both WorldCatch LLC, a provider of all-natural seafood, and GLP Manufacturing, a gluten-free baked-goods manufacturer.

## 2011 and Beyond

Rich Products Corporation kicks off 2011 with the acquisitions of Celebration Foods, a leading manufacturer and distributor of frozen desserts and ice cream cakes, and VSE International, the leading wholesale bakery manufacturing company in Sydney, Australia. The Celebration Foods business brings with it a licensing agreement for Carvel-branded ice cream cakes in certain distribution channels, along with assets in manufacturing, corporate operations and R&D, plus a direct-store-distribution system. The purchase of VSE International, with a product portfolio of more than 800 items, supports Rich's overall growth strategy in the Asia/Pacific region, giving the company local manufacturing, a broader customer base and product range, and an increased presence in the Australian market.

Industry-leading product innovations continue as Rich's introduces two new whipped icings, S'mores Bettercreme and Fudge Swirl Bettercreme. S'mores Bettercreme is the first icing of its kind to incorporate both a variegate (fudge swirl) and a particulate (graham cracker crumbs), resulting in an indulgent whipped icing that brings the delicious, nostalgic s'mores experience to a cake. Fudge Swirl Bettercreme, with fudge swirled into vanilla whipped icing, offers consumers the perfect blend of chocolate and vanilla.

Rich's continues aggressive global expansion during fall 2011 with the opening of a manufacturing facility producing frozen and aseptic non-dairy creams for the bakery and foodservice industries. The state-of-the-art manufacturing platform supports Rich's overall growth strategy to further develop its Korean and other Asian businesses.

Also in 2011, Rich's is named to the list of the top 100 family-owned businesses in North America by CampdenFB magazine. Meanwhile, the company begins planning a strategic realignment to more-effectively take advantage of global market opportunities. The conversion to one global structure sets the stage for the company to leverage its enterprise-wide infrastructure and talented workforce to facilitate the flow of knowledge and best practices across its expanding global footprint. The major structural shift, made effective in 2012, converts the company's two separate business groups – North America and International – into one seamless, global Rich's organization consisting of five geographic operations: United States/Canada Region; Latin America Region; Asia/Pacific Region; Europe/Middle East Region; and South Africa Region.

Bob Rich Jr. continues to lead the family-owned business as its Chairman, with his wife, Melinda R. (Mindy) Rich serving as Vice Chairman and Bill Gisel serving as President and Chief Executive Officer and leader of the company's executive team with Richard Ferranti as Executive Vice President and Chief Operating Officer, leading Rich's five regional businesses.

After years of work and preparation, Rich's expands into the emerging Western Asia market with the addition of Rich's Turkey during spring 2012. In addition to presenting a huge growth opportunity within a country of 75 million people, Turkey serves as a gateway to an additional 130 million potential customers in the nearby countries of Iraq, Iran, Syria, Bulgaria and Azerbaijan.

Rich's wraps up 2012 with the acquisition of two companies, transforming its US-Canada business. Adding Goglanian Bakeries Inc., f'real foods LLC, and a joint venture, Twin Star Bakery, with business partner The Stolbun Group, brings increased depth and capabilities to Rich's diverse product portfolio. The acquisition of family-owned Goglanian Bakeries nearly triples Rich's current pizza business and provides the company with an exceptional line of par-baked pizza crusts, flatbreads and pitas, to complement its existing strength in frozen pizza dough within the foodservice channel. Giving Rich's access to a new product line and greater penetration into the high-growth

convenience store segment, f'real sells authentic, high-quality milkshakes, smoothies and frozen coffee beverages. Twin Star Bakery is a new joint venture partnership between Rich's and The Stolbun Group. The addition of Twin Star's iced cookies to Rich's product portfolio allows Rich's to supply an entirely new product offering through its in-store bakery division. Also, Twin Star's fully-finished cakes and baked cookies add to Rich's already robust selection of cakes and desserts."

\*Information from Forbes.com and Richs.com

\*\*Video published on YouTube by "Rich Products"

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Rich Products Corporation

Apr. 20, 2011



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Rich's On Top Whipped  
Topping

Available in four varieties for hot or cold applications.



About Rich Products Corp.

City: Buffalo

State: New York

Contact: Ask for Sales

Phone: (800) 356-7094

Website:

<http://www.richsfoodservice.com/>

Email:

## Recent Products

New Flavored Pretzel  
BagsCreamy, Crunchy, &  
Delicious!

A011

Rich Products Corp. introduces Rich's On Top, a whipped topping for signature beverages, desserts and more. The whipped topping is packaged in a recyclable 16-ounce pastry bag with a decorator tip, and has an easy-open seal that does not require touching the dispensing tip to reduce the risk of food contamination. Available in four varieties — Original, Chocolate, Sugar-Free and Made With Cream — the whipped topping retains its shape at room temperature and is perfect for hot or cold applications like smoothies, pies, cakes, decadent pastries, pancakes, waffles and French toast, according to the maker.



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## Setting New Foodservice Standards with Rich Products



**Client Challenge** – Another CRI founding client, Rich Products, a leading supplier of food products to the foodservice industry, has repeatedly partnered with CRI to create breakthrough new products and services that create value for their customers. CRI has helped Rich's set new standards for foodservice operators' expectations of what is possible in quality; seemingly homemade products that reduce time and labor while enhancing an operator's reputation.

**Collaborative Breakthrough** – One example of the power of our innovation process resulted from some qualitative CRI customer research that revealed foodservice operators' frustrations with whipped dessert toppings. Traditional dessert toppings were labor intensive, messy and inconsistent. Rich's needed a faster, simpler, cleaner way to make whipped topping. During a creativity

session in Rich's innovation process a group exercise in movie imagery led one participant to link a scene with comedian John Belushi from the movie *Animal House*. It drove a wish for "a bagged whipped cream that looks like a 'zit'." (Can you guess which scene?)

**Reality** – The On-Top® line of non-dairy whipped toppings, packaged in plastic cone-shaped pouches (like a zit), that can be easily opened and dispensed through an internal, gravity fed decorative tip, to perfectly dispense whipped toppings. On-Top requires no messy preparation or cleanup. A simple innovation that won the *Innovation of the Year Award* from the Frozen Food Association the year it was launched, On-Top has been one of the company's top three product platforms for almost two decades, and it is only one of many innovations that CRI has helped them create.

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T.T.A.B. Opposition No. 91206921

Rich Products Corporation

v.

VegiPro Brands, LLC DBA Exposure SMI

**Jacquinet Declaration**  
**Ex. B**

Mark	Reg. No.(s)	With Laudatory Addition	Reg. No.
SCHLOTZSKY'S SCHLOTZSKY'S SCHLOTZSKY'S SCHLOTZSKY'S SCHLOTZSKY'S SCHLOTZSKY'S SCHLOTZSKY'S SCHLOTZSKY'S SCHLOTZSKY'S	1150687 1252537 1337033 1775366 3059809 3182401 4000735 3980366 3879948	SCHLOTZSKY'S BETTER	4087842
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GIGGLE	4299656	GIGGLE BETTER BASICS	4006394
DIRECTV DIRECTV DIRECTV	2503432 2698197 3085552	DIRECTV PLUS DIRECTV PLUS DIRECTV PLUS DIRECTV PLUS	2418301 3276821 3330982 3598467
FARR	3965476	FARR BETTER	3973455
GOLDEN BEAR	0955632	BEAR'S BEST	2286737
KATZ	1786989	KATZ THE BEST	1788403
BLIMPIE BLIMPIE	1221085 1256296	BLIMPIE BEST	2011843

**Int. Cl.: 42**

**Prior U.S. Cl.: 100**

**United States Patent and Trademark Office**

**Reg. No. 1,150,687**  
Registered Apr. 7, 1981

**SERVICE MARK**  
Principal Register

**SCHLOTZSKY'S**

Schlotzsky's, Inc. (Texas corporation)  
5555 N. Lamar  
Austin, Tex. 78751

For: RESTAURANT SERVICES SPECIAL-  
IZING IN THE SALE OF SANDWICHES, in  
CLASS 42 (U.S. Cl. 100).

First use Aug. 11, 1971; in commerce May 16,  
1977.

Owner of U.S. Reg. No. 1,072,416.

Ser. No. 184,241, filed Sep. 1, 1978.

L. STRICKMAN, Primary Examiner

MICHAEL J. HYNAC, Examiner

**Int. Cl.: 42**

**Prior U.S. Cl.: 100**

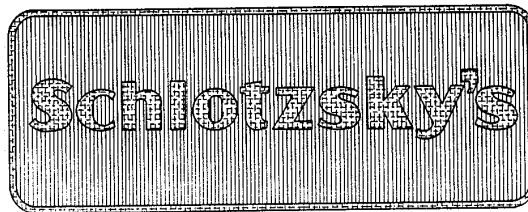
**United States Patent and Trademark Office**

**Reg. No. 1,252,537**

**Registered Sep. 27, 1983**

**SERVICE MARK**

**Principal Register**



Schlotzsky's, Inc. (Texas corporation)  
8423 Research Blvd.  
Austin, Tex. 78758

For: RESTAURANT SERVICES SPECIAL-  
IZING IN THE SALE OF SANDWICHES, in  
CLASS 42 (U.S. Cl. 100).

First use Feb. 22, 1982; in commerce Feb. 22,  
1982.

Owner of U.S. Reg. Nos. 1,072,416, 1,150,687 and  
others.

The drawing is lined for the colors red and yellow.

Ser. No. 358,062, filed Apr. 5, 1982.

G. MAYERSCHOFF, Examining Attorney

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 1,337,033

Registered May 21, 1985

**TRADEMARK  
PRINCIPAL REGISTER**

**SCHLOTZSKY'S**

SCHLOTZSKY'S, INC. (TEXAS CORPORATION)  
200 W. FOURTH ST.  
AUSTIN, TX 78701

FIRST USE 5-0-1979; IN COMMERCE  
5-0-1979.

OWNER OF U.S. REG. NOS. 1,072,416, 1,252,537  
AND OTHERS.

FOR: SANDWICHES FOR CONSUMPTION  
ON OR OFF THE PREMISES, IN CLASS 30 (U.S.  
CL. 46).

SER. NO. 505,952, FILED 10-29-1984.

EDWARD NELSON, EXAMINING ATTORNEY

Int. Cl.: 29

Prior U.S. Cl.: 46

**United States Patent and Trademark Office**

**Reg. No. 1,775,366**

Registered June 8, 1993

**TRADEMARK  
PRINCIPAL REGISTER**

**SCHLOTZSKY'S**

SCHLOTZSKY'S FRANCHISING LIMITED  
PARTNERSHIP (TEXAS LIMITED PART-  
NERSHIP)  
200 WEST 4TH STREET  
AUSTIN, TX 78701

FIRST USE 6-0-1992; IN COMMERCE  
6-0-1992.

OWNER OF U.S. REG. NOS. 1,072,416, 1,337,033  
AND OTHERS.

SER. NO. 74-328,161, FILED 11-2-1992.

FOR: POTATO CHIPS, IN CLASS 29 (U.S. CL.  
46).

DONNA MIRMAN, EXAMINING ATTORNEY

**Int. Cl.: 43**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,059,809**

**Registered Feb. 21, 2006**

**SERVICE MARK  
PRINCIPAL REGISTER**



SCHLOTZSKY'S, LTD. (TEXAS LIMITED PART-  
NERSHIP)  
203 COLORADO STREET  
AUSTIN, TX 78701

FOR: RESTAURANT SERVICES SPECIALIZING  
IN SANDWICHES; TAKE-AWAY FOOD SERVICES;  
AND FOOD CATERING SERVICES, IN CLASS 43  
(U.S. CLS. 100 AND 101).

FIRST USE 6-18-2003; IN COMMERCE 6-18-2003.

OWNER OF U.S. REG. NOS. 1,147,774, 2,641,418  
AND OTHERS.

THE LINING SHOWN IN THE DRAWING IS A  
FEATURE OF THE MARK AND DOES NOT INDI-  
CATE COLOR.

THE DESIGN MARK SHOWN ON THE DRAW-  
ING PAGE CONTAINS A DRAWING OF WAVING  
WHEAT BEHIND A BANNER FEATURING THE  
WORDS SCHLOTZSKY'S.

SER. NO. 76-573,930, FILED 2-4-2004.

WILLIAM VERHOSEK, EXAMINING ATTORNEY

**Int. Cl.: 29**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 3,182,401**

**Registered Dec. 12, 2006**

**TRADEMARK  
PRINCIPAL REGISTER**

**SCHLOTZSKY'S**

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301 CONGRESS AVENUE

AUSTIN, TX 78701

FOR: MEATS AND CHEESES, IN CLASS 29 (U.S.  
CL. 46).

FIRST USE 1-0-2001; IN COMMERCE 1-0-2001.

THE MARK CONSISTS OF STANDARD CHAR-  
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OWNER OF U.S. REG. NOS. 1,147,774, 1,150,687  
AND OTHERS.

SER. NO. 76-653,611, FILED 1-13-2006.

SKYE YOUNG, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## SCHLOTZSKY'S

**Reg. No. 3,879,948**

**Registered Nov. 23, 2010**

**Int. Cl.: 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

SCHLOTZSKY'S FRANCHISE LLC (GEORGIA LIMITED LIABILITY COMPANY)  
SUITE 200  
200 GLENRIDGE POINT PARKWAY  
ATLANTA, GA 303421450

FOR: BOTTLED WATER, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 8-11-1971; IN COMMERCE 8-11-1971.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,337,033, 2,235,917, AND 3,182,401.

SER. NO. 85-014,872, FILED 4-15-2010.

DEZMONA MIZELLE, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## SCHLOTZSKY'S

**Reg. No. 3,980,366**

**Registered June 21, 2011**

**Int. Cl.: 30**

**TRADEMARK**

**PRINCIPAL REGISTER**

SCHLOTZSKY'S FRANCHISE LLC (GEORGIA LIMITED LIABILITY COMPANY)  
SUITE 200  
200 GLENRIDGE POINT PARKWAY  
ATLANTA, GA 30342

FOR: FOOD PRODUCTS, NAMELY, SANDWICHES, PANINI, PIZZA, PIZZA CRUST, PASTA, PASTA SALAD, BREADS, BREAD DOUGH, BUNS, BREAD ROLLS, CRACKERS, CROUTONS, TORTILLAS, TORTILLA CHIPS, CORN CHIPS, CORN-BASED SNACK FOODS, PRETZELS, BAKERY GOODS, MIXES FOR BAKERY GOODS, COOKIES, CAKES, CHEESECAKE, BROWNIES, SALAD DRESSINGS, SAUCES, BARBECUE SAUCE, TOMATO SAUCE, HOT SAUCE, FISH SAUCE, MAYONNAISE, MUSTARD, VINEGAR, FLAVORED VINEGAR, PROCESSED HERBS, SPICES, SALT, PEPPER, CONDIMENT, NAMELY, PEPPER SAUCE, FRUIT SAUCES EXCLUDING CRANBERRY SAUCE AND APPLE SAUCE, IN CLASS 30 (U.S. CL. 46).

FIRST USE 8-11-1971; IN COMMERCE 8-11-1971.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,337,033, 2,235,917, AND 3,182,401.

SER. NO. 85-012,976, FILED 4-13-2010.

DEZMONA MIZELLE, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## SCHLOTZSKY'S

**Reg. No. 4,000,735**

**Registered July 26, 2011**

**Int. Cl.: 29**

**TRADEMARK**

**PRINCIPAL REGISTER**

SCHLOTZSKY'S FRANCHISE LLC (GEORGIA LIMITED LIABILITY COMPANY)  
SUITE 200  
200 GLENRIDGE POINT PARKWAY  
ATLANTA, GA 30342

FOR: FOOD PRODUCTS, NAMELY, CHEESES, MEATS, DELI MEAT, NAMELY, CHICKEN, TURKEY, HAM, CORNED BEEF, SALAMI AND PASTRAMI, MEAT EXTRACTS, POULTRY, FISH, SOUPS, SOUP MIXES, DRIED AND COOKED FRUITS AND VEGETABLES, PROCESSED BAKED POTATOES, PROCESSED POTATOES, FRUIT AND VEGETABLE SALADS, PROCESSED OLIVES, JALAPENOS, PICKLES, PROCESSED PEPPERS, SAUERKRAUT, GUACAMOLE, COMPOTES, POTATO CHIPS AND CRISPS, VEGETABLE CHIPS, FRUIT CHIPS, PROCESSED NUTS, OLIVE OILS, EDIBLE OILS AND FATS, CONDIMENT, NAMELY, PEPPER OIL, JELLIES AND JAMS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 1-0-2001; IN COMMERCE 1-0-2001.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,337,033, 2,235,917, AND 3,182,401.

SER. NO. 85-012,907, FILED 4-13-2010.

DEZMONA MIZELLE, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

**B010**

**United States of America**  
United States Patent and Trademark Office

**Schlotsky's  
better**

**Reg. No. 4,087,842**

**Registered Jan. 17, 2012**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

SCHLOTZSKY'S FRANCHISE LLC (GEORGIA LIMITED LIABILITY COMPANY)  
LEGAL DEPARTMENT  
200 GLENRIDGE POINT PARKWAY, SUITE 200  
ATLANTA, GA 30342

FOR: CATERING SERVICES; RESTAURANT SERVICES; TAKE-OUT RESTAURANT SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 3-2-2009; IN COMMERCE 3-2-2009.

OWNER OF U.S. REG. NOS. 1,150,687, 2,235,917, AND 3,603,345.

THE MARK CONSISTS OF THE WORDS "SCHLOTZSKY'S BETTER" STYLIZED AND WITH THE PHRASE "LOTZ BETTER" HIGHLIGHTED.

SER. NO. 85-346,286, FILED 6-14-2011.

CYNTHIA TRIPI, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

Int. Cl.: 42

Prior U.S. Cl.: 101

United States Patent and Trademark Office

Amended

Reg. No. 1,438,390

Registered Apr. 28, 1987

OG Date June 7, 1988

**SERVICE MARK  
PRINCIPAL REGISTER**

**STAPLES**

STAPLES, INC. (DELAWARE CORPO-  
RATION)  
150 CALIFORNIA STREET  
NEWTON, MA 02158

FOR: OFFICE SUPPLY STORE SERV-  
ICES, IN CLASS 42 (U.S. CL. 101).  
FIRST USE 8-23-1985; IN COMMERCE  
8-23-1985.

SER. NO. 598,521, FILED 5-13-1986.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on June 7, 1988.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cls.: 16 and 42

Prior U.S. Cls.: 37 and 101

United States Patent and Trademark Office

Amended/Corrected

Reg. No. 1,459,182

Registered Sep. 29, 1987

OG Date Mar. 22, 1988

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**STAPLES**

STAPLES, INC. (DELAWARE CORPORATION)  
150 CALIFORNIA STREET  
NEWTON, MA, ASSIGNEE OF STAPLES  
DIRECT OFFICE SUPPLY, INC.  
(TEXAS CORPORATION) SUITE A 804  
PORT AMERICA PLACE GRAPEVINE,  
TX 76051

FOR: OFFICE SUPPLIES, NAMELY,  
PADS OF PAPER, IN CLASS 16 (U.S. CL.  
37).

FIRST USE 6-6-1985; IN COMMERCE  
7-25-1985.

FOR: OPERATION OF MOBILE RETAIL  
STORES FOR THE SALE OF OFFICE  
SUPPLIES, OFFICE FURNITURE,  
AND RELATED ITEMS, IN CLASS 42 (U.S.  
CL. 101).

FIRST USE 12-12-1984; IN COMMERCE  
7-25-1985.

SER. NO. 591,562, FILED 4-4-1986.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Mar. 22, 1988.*

**Int. Cl.: 42**

**Prior U.S. Cl.: 101**

**United States Patent and Trademark Office**

**Reg. No. 1,512,125**

**Registered Nov. 8, 1988**

**SERVICE MARK  
PRINCIPAL REGISTER**

# STAPLES

STAPLES, INC. (DELAWARE CORPORATION)  
150 CALIFORNIA STREET  
NEWTON, MA 02158

OWNER OF U.S. REG. NO. 1,459,182.

SER. NO. 690,073, FILED 10-16-1987.

FOR: OFFICE SUPPLY STORE SERVICES, IN  
CLASS 42 (U.S. CL. 101).

FIRST USE 5-1-1986; IN COMMERCE  
5-1-1986.

DOMINICK J. SALEMI, EXAMINING ATTOR-  
NEY

# United States of America

United States Patent and Trademark Office

## STAPLES BETTER

**Reg. No. 3,891,935**

**Registered Dec. 21, 2010**

**Int. Cl.: 16**

**TRADEMARK**

**PRINCIPAL REGISTER**

STAPLES THE OFFICE SUPERSTORE LLC (DELAWARE LIMITED LIABILITY COMPANY)  
500 STAPLES DRIVE  
FRAMINGHAM, MA 01702

FOR: DIVIDERS, NAMELY, DIVIDERS FOR BINDERS AND INDEX DIVIDERS, IN CLASS  
16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 12-0-2008; IN COMMERCE 12-0-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-  
TICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-835,129, FILED 9-25-2009.

BARBARA A. GOLD, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

**Int. Cls.: 16 and 43**

**Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, and 101**

**United States Patent and Trademark Office**

**Reg. No. 2,826,386**

**Registered Mar. 23, 2004**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**BEST WESTERN PREMIER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)

2901 NORTH 24TH PARKWAY

PHOENIX, AZ 85016

FOR: TRAVEL AND HOTEL GUIDE BOOKS, DIRECTORIES, MAGAZINES, PAMPHLETS, NEWSLETTERS, MANUALS, BROCHURES, MEDIA LEAFLETS, PRINT ADVERTISEMENTS AND MAPS FEATURING HOTEL AND TRAVEL INFORMATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 1-1-2003; IN COMMERCE 1-1-2003.

FOR: HOTEL, MOTEL, AND RESORT HOTEL SERVICES; MAKING HOTEL RESERVATIONS FOR OTHERS, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-2003; IN COMMERCE 1-1-2003.

OWNER OF U.S. REG. NOS. 914,812, 2,460,453, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PREMIER" , APART FROM THE MARK AS SHOWN.

SN 78-113,185, FILED 3-7-2002.

SUSAN LESLIE DUBOIS, EXAMINING ATTORNEY

**Int. Cls.: 16 and 43**

**Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, and 101**

**United States Patent and Trademark Office**

**Reg. No. 2,926,912**

**Registered Feb. 15, 2005**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**



BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 N. 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: TRAVEL AND HOTEL GUIDE BOOKS, DIRECTORIES, MAGAZINES, PAMPHLETS, NEWSLETTERS, MANUALS, BROCHURES, MEDIA LEAFLETS, PRINT ADVERTISEMENTS AND MAPS FEATURING HOTEL AND TRAVEL INFORMATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 1-1-2003; IN COMMERCE 1-1-2003.

FOR: HOTEL, MOTEL, AND RESORT HOTEL SERVICES; MAKING HOTEL RESERVATIONS FOR OTHERS, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-2003; IN COMMERCE 1-1-2003.

OWNER OF U.S. REG. NOS. 914,812, 1,072,360, AND OTHERS.

SN 78-217,684, FILED 2-21-2003.

CAROLINE WEIMER, EXAMINING ATTORNEY

**Int. Cl.: 43**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,295,327**

**Registered Sep. 18, 2007**

**SERVICE MARK  
PRINCIPAL REGISTER**

**BEST BUSINESS SELECT**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)

6201 NORTH 24TH PARKWAY

PHOENIX, AZ 85016

FOR: HOTEL, MOTEL AND RESORT HOTEL SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 6-1-2006; IN COMMERCE 6-1-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BEST BUSINESS", APART FROM THE MARK AS SHOWN.

SN 78-757,263, FILED 11-18-2005.

DAVID YONTEF, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## BEST WESTERN PLUS

**Reg. No. 3,839,230**

**Registered Aug. 24, 2010**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: HOTEL SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 6-4-2010; IN COMMERCE 6-4-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,432,431, 2,105,546, AND OTHERS.

SN 77-844,807, FILED 10-8-2009.

BRENDAN REGAN, EXAMINING ATTORNEY



*David J. Kyros*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,954,674**

**Registered May 3, 2011**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: HOTEL SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-27-2010; IN COMMERCE 8-27-2010.

OWNER OF U.S. REG. NOS. 2,719,374, 3,839,230 AND OTHERS.

THE COLOR(S) RED, YELLOW, BLUE, AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A RED CROWN DESIGN, THE WORDS "BEST WESTERN" IN YELLOW, AND THE WORD "PLUS" IN WHITE ON A FIVE-SIDED BLUE CURVILINEAR DESIGN WITH YELLOW PIN STRIPING.

SER. NO. 85-120,774, FILED 9-1-2010.

JAY FLOWERS, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,954,679**

**Registered May 3, 2011**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: HOTEL SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-27-2010; IN COMMERCE 8-27-2010.

OWNER OF U.S. REG. NOS. 2,719,374, 3,839,230 AND OTHERS.

THE MARK CONSISTS OF A CROWN DESIGN AND THE WORDS "BEST WESTERN PLUS" ON A FIVE-SIDED CURVILINEAR DESIGN WITH PIN STRIPING.

SER. NO. 85-120,792, FILED 9-1-2010.

JAY FLOWERS, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,954,681**

**Registered May 3, 2011**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: HOTEL SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-27-2010; IN COMMERCE 8-27-2010.

OWNER OF U.S. REG. NOS. 2,719,374, 2,926,912 AND OTHERS.

THE COLOR(S) RED, YELLOW, BLUE, AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A RED CROWN DESIGN, THE WORDS "BEST WESTERN" IN YELLOW, AND THE WORD "PREMIER" IN WHITE ON A FIVE-SIDED BLUE CURVILINEAR DESIGN WITH YELLOW PIN STRIPING.

SER. NO. 85-120,805, FILED 9-1-2010.

JAY FLOWERS, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,954,682**

**Registered May 3, 2011**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: HOTEL SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-27-2010; IN COMMERCE 8-27-2010.

OWNER OF U.S. REG. NOS. 2,719,374, 2,926,912 AND OTHERS.

THE MARK CONSISTS OF A CROWN DESIGN AND THE WORDS "BEST WESTERN PREMIER" ON A FIVE-SIDED CURVILINEAR DESIGN WITH PIN STRIPING.

SER. NO. 85-120,819, FILED 9-1-2010.

JAY FLOWERS, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,979,476**

**Registered June 14, 2011**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: HOTEL SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 3-8-2011; IN COMMERCE 3-8-2011.

OWNER OF U.S. REG. NOS. 1,933,830, 3,839,230, AND OTHERS.

THE MARK CONSISTS OF A CROWN DESIGN AND THE WORDS "BEST WESTERN" ON A FIVE-SIDED CURVILINEAR DESIGN, WITH THE WORD "PLUS" UNDERNEATH.

SN 85-062,347, FILED 6-14-2010.

COURTNEY ALVAREZ, EXAMINING ATTORNEY



*David J. Kyros*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,979,477**

**Registered June 14, 2011**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: HOTEL SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 3-8-2011; IN COMMERCE 3-8-2011.

OWNER OF U.S. REG. NOS. 1,933,830, 3,839,230, AND OTHERS.

THE COLOR(S) BLUE, RED AND YELLOW IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A RED CROWN DESIGN AND THE WORDS "BEST WESTERN" IN YELLOW ON A FIVE-SIDED BLUE CURVILINEAR DESIGN WITH YELLOW PIN STRIPING, WITH THE WORD "PLUS" IN BLUE UNDERNEATH.

SN 85-062,390, FILED 6-14-2010.

COURTNEY ALVAREZ, EXAMINING ATTORNEY



*David J. Kyros*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office



PREMIER

**Reg. No. 3,979,478**

**Registered June 14, 2011**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: HOTEL SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-2003; IN COMMERCE 1-1-2003.

OWNER OF U.S. REG. NOS. 1,432,431, 2,926,912, AND OTHERS.

THE COLOR(S) BLUE, YELLOW, RED AND GOLD IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A RED CROWN DESIGN AND THE WORDS "BEST WESTERN" IN YELLOW ON A FIVE-SIDED BLUE CURVILINEAR DESIGN WITH YELLOW PIN STRIPING, WITH THE WORD "PREMIER" IN GOLD UNDERNEATH.

SN 85-062,418, FILED 6-14-2010.

COURTNEY ALVAREZ, EXAMINING ATTORNEY



*David J. Kyros*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,981,580**

**Registered June 21, 2011**

**Int. Cl.: 9**

**TRADEMARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: COMPUTER APPLICATION SOFTWARE FOR MOBILE PHONES, NAMELY, SOFTWARE FOR LOCATING HOTELS, MAKING HOTEL RESERVATIONS, STORING AND ACCESSING IMAGES AND TRIP INFORMATION, AND TRANSMITTING IMAGES AND TRIP INFORMATION TO OTHERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-1-2010; IN COMMERCE 7-1-2010.

OWNER OF U.S. REG. NOS. 1,900,620, 2,105,546 AND OTHERS.

THE MARK CONSISTS OF A CROWN DESIGN AND THE WORDS "BEST WESTERN" ON A FIVE-SIDED CURVILINEAR DESIGN WITH PIN STRIPING.

SER. NO. 85-179,857, FILED 11-18-2010.

REBECCA POVARCHUK, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,981,583**

**Registered June 21, 2011**

**Int. Cl.: 9**

**TRADEMARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: COMPUTER APPLICATION SOFTWARE FOR MOBILE PHONES, NAMELY, SOFTWARE FOR LOCATING HOTELS, MAKING HOTEL RESERVATIONS, STORING AND ACCESSING IMAGES AND TRIP INFORMATION, AND TRANSMITTING IMAGES AND TRIP INFORMATION TO OTHERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-1-2010; IN COMMERCE 7-1-2010.

OWNER OF U.S. REG. NOS. 1,900,620, 2,105,546 AND OTHERS.

THE COLOR(S) RED, YELLOW, AND BLUE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A RED CROWN DESIGN AND THE WORDS "BEST WESTERN" IN YELLOW ON A FIVE-SIDED BLUE CURVILINEAR DESIGN WITH YELLOW PIN STRIPING.

SER. NO. 85-179,868, FILED 11-18-2010.

REBECCA POVARCHUK, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## BEST WESTERN

**Reg. No. 3,981,584**

**Registered June 21, 2011**

**Int. Cl.: 9**

**TRADEMARK**

**PRINCIPAL REGISTER**

BEST WESTERN INTERNATIONAL, INC. (ARIZONA CORPORATION)  
6201 NORTH 24TH PARKWAY  
PHOENIX, AZ 85016

FOR: COMPUTER APPLICATION SOFTWARE FOR MOBILE PHONES, NAMELY, SOFTWARE FOR LOCATING HOTELS, MAKING HOTEL RESERVATIONS, STORING AND ACCESSING IMAGES AND TRIP INFORMATION, AND TRANSMITTING IMAGES AND TRIP INFORMATION TO OTHERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-1-2010; IN COMMERCE 7-1-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,900,620, 2,105,546 AND OTHERS.

SER. NO. 85-179,876, FILED 11-18-2010.

REBECCA POVARCHUK, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

# United States of America

## United States Patent and Trademark Office

GIGGLE BETTER BASICS

**Reg. No. 4,006,394**

**Registered Aug. 2, 2011**

**Int. Cl.: 20**

**TRADEMARK**

**PRINCIPAL REGISTER**

GIGGLE, INC. (DELAWARE CORPORATION)  
148 MADISON AVE., 4TH FLOOR  
NEW YORK, NY 10016

FOR: INFANTS AND CHILDREN'S FURNITURE, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 10-0-2010; IN COMMERCE 10-0-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,122,969.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BASICS", APART FROM THE MARK AS SHOWN.

SN 77-192,173, FILED 5-29-2007.

BRIAN CALLAGHAN, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

**B030**

**United States of America**  
United States Patent and Trademark Office

**GIGGLE**

**Reg. No. 4,299,656**

**Registered Mar. 12, 2013**

**Corrected Mar. 4, 2014**

**Int. Cls.: 8, 10, 12, 16, 18,  
20, 21 and 35**

**TRADEMARK**

**SERVICE MARK**

**PRINCIPAL REGISTER**

GIGGLE, INC. (DELAWARE CORPORATION)  
158 W. 27TH STREET  
8TH FLOOR  
NEW YORK, NY 10001

FOR: NAIL CLIPPERS; NAIL FILES, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 10-31-2003; IN COMMERCE 10-31-2003.

FOR: NASAL ASPIRATORS; TEething RINGS, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 10-31-2003; IN COMMERCE 10-31-2003.

FOR: CHILDREN'S CAR SEATS; BABY STROLLERS, IN CLASS 12 (U.S. CLS. 19, 21, 23,  
31, 35 AND 44).

FIRST USE 10-31-2003; IN COMMERCE 10-31-2003.

FOR: DIAPER PAIL LINERS IN THE NATURE OF PLASTIC BAGS THAT CAN BE INSERTED  
INTO DIAPER PAILS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 10-31-2003; IN COMMERCE 10-31-2003.

FOR: BABY CARRIERS WORN ON THE BODY; TRAVEL BAGS, IN CLASS 18 (U.S. CLS.  
1, 2, 3, 22 AND 41).

FIRST USE 10-31-2003; IN COMMERCE 10-31-2003.

FOR: SLEEPING BAGS; PORTABLE INFANT BATH SEATS FOR USE IN BATH TUBS, IN  
CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 10-31-2003; IN COMMERCE 10-31-2003.

FOR: FEEDING ACCESSORIES, NAMELY, PLATES AND CUPS; HAIR BRUSHES; COMBS;  
CHOPSTICKS; INFANT BATH TUBS; DIAPER PAILS; POTTY CHAIRS FOR USE BY  
CHILDREN, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).



*Michelle K. Lee*  
Deputy Director of the United States  
Patent and Trademark Office

**Reg. No. 4,299,656** FIRST USE 10-31-2003; IN COMMERCE 10-31-2003.

FOR: RETAIL STORE SERVICES FEATURING HOUSEHOLD CLEANING PRODUCTS, LAUNDRY DETERGENT AND FABRIC SOFTENERS, STATIONERY, AND NOTE CARDS, BOOKS, TOYS, CAR SEATS, STROLLERS, DIAPER BAGS, INFANTS' AND CHILDREN'S FURNITURE, CLOTHING, BEDDING, BLANKETS AND THROWS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-31-2003; IN COMMERCE 10-31-2003.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,122,969.

SER. NO. 77-705,424, FILED 4-2-2009.

**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**Reg. No. 2,418,301**

**United States Patent and Trademark Office**

**Registered Jan. 2, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**DIRECTV PLUS**

DIRECTV, INC. (CALIFORNIA CORPORATION)  
2230 E. IMPERIAL HIGHWAY  
EL SEGUNDO, CA 90245

FOR: ELECTRONIC EQUIPMENT FOR RECEIVING  
DIRECT BROADCAST SATELLITE SIGNALS,  
NAMELY, RECEIVERS, SATELLITE DISHES, AN-  
TENNAS AND REMOTE CONTROLLERS THERE-

FORE SOLD TOGETHER AS A UNIT, IN CLASS 9  
(U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.  
OWNER OF U.S. REG. NOS. 1,872,038 AND  
2,184,561.

SN 75-652,711, FILED 8-25-1998.

MICHAEL BAIRD, EXAMINING ATTORNEY

**Int. Cls.: 9, 16 and 25**

**Prior U.S. Cls.: 2, 5, 21, 22, 23, 26, 29, 36, 37, 38, 39  
and 50**

**Reg. No. 2,503,432**

**United States Patent and Trademark Office**

**Registered Nov. 6, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**DIRECTV**

**DIRECTV, INC. (CALIFORNIA CORPORATION)  
2230 E. IMPERIAL HIGHWAY  
EL SEGUNDO, CA 90245**

**FOR: TELECOMMUNICATIONS PRODUCTS, NAMELY, RECEIVERS, RECEIVER MODULES, DECODER BOXES, SATELLITE DISHES, REMOTE CONTROLLERS, VIDEO DISPLAY DEVICES, NAMELY, TELEVISION SETS AND VIDEO MONITORS, ANTENNAS, COMPUTER CONTROLLING HARDWARE AND SOFTWARE FOR USE IN THE AFOREMENTIONED GOODS, INSTALLATION KITS PRIMARILY COMPRISING CABLES, PHONE CORDS, CABLE TIES, CABLE CLIPS, GROUND WIRE, PHONE ADAPTERS, AND PARTS FOR THE AFORESAID GOODS, AND ACCESSORIES, NAMELY, TELEPHONE JACKS, CHIMNEY MOUNTS, SURGE PROTECTORS, ALL FOR USE IN THE DIRECT-TO-HOME SATELLITE BROADCASTING INDUSTRY, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).**

**FIRST USE 10-1-1998; IN COMMERCE 10-1-1998.**

**FOR: CARDBOARD FLOOR DISPLAY UNITS FOR MERCHANDISING PRODUCTS, INSTRUCTION MANUALS FOR USE IN CONNECTION WITH**

**DIRECT-TO-HOME SATELLITE EQUIPMENT AND SERVICES, MAGAZINES, BROCHURES, BOOKS, AND PRINTED PROGRAMMING GUIDES IN THE FIELD OF DIRECT-TO-HOME SATELLITE SERVICES, WRITING PAPER, BINDERS, POSTERS, NOTE PADS, PENS, PENCILS, ADDRESS BOOKS, APPOINTMENT BOOKS, BOOK MARKS, STATIONERY BOXES, CALENDARS, GIFT CARDS, DECALS, DESK SETS, DIARIES, STATIONERY-TYPE PORTFOLIOS, BUMPER STICKERS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).**

**FIRST USE 6-17-1994; IN COMMERCE 6-17-1994.**

**FOR: CLOTHING, NAMELY, SHIRTS, GOLF SHIRTS, JACKETS, WIND-RESISTANT JACKETS, SWEATSHIRTS, T-SHIRTS, CAPS, AND HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).**

**FIRST USE 6-17-1994; IN COMMERCE 6-17-1994.**

**OWNER OF U.S. REG. NOS. 1,872,038 AND 2,184,581.**

**SER. NO. 75-638,970, FILED 2-15-1999.**

**MICHAEL BAIRD, EXAMINING ATTORNEY**

Int. Cls.: 9, 25, 38, and 41

Prior U.S. Cls.: 21, 22, 23, 26, 36, 38, 39, 100, 101, 104,  
and 107

Reg. No. 2,698,197

Registered Mar. 18, 2003

**United States Patent and Trademark Office**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**DIRECTV**

DIRECTV, INC. (CALIFORNIA CORPORATION)  
2230 E. IMPERIAL HIGHWAY  
EL SEGUNDO, CA 90245

FOR: TELECOMMUNICATIONS PRODUCTS, NAMELY, RECEIVERS, RECEIVER MODULE, MODULATORS, TRANSMITTERS, MULTIPLEXERS, DECODER BOXES, DATA PROCESSORS, INTEGRATED CIRCUITS, SET-TOP BOXES PRIMARILY COMPRISED OF A RECEIVER AND CIRCUITRY, COMPUTER CONTROLLING HARDWARE AND SOFTWARE FOR USE IN THE AFOREMENTIONED GOODS, SATELLITE DISHES, REMOTE CONTROLLERS, VIDEO DISPLAY DEVICES, NAMELY, TELEVISION SETS, VIDEO PROJECTORS, AND VIDEO MONITORS, ANTENNAS, INSTALLATION KITS PRIMARILY COMPRISING CABLES, PHONE CORDS, CABLE TIES, CABLE CLIPS, GROUND WIRE, PHONE ADAPTERS, AND PARTS FOR THE AFORESAID GOODS, VIDEO DISTRIBUTION EQUIPMENT, NAMELY, AMPLIFIERS, PRE-AMPLIFIERS, BLOCK SIGNAL CONVERTERS, ROUTERS, ELECTRICAL SWITCHES, ENCODERS, DECODERS, AND ACCESSORIES, NAMELY, TELEPHONE JACKS, CHIMNEY MOUNTS, SURGE PROTECTORS, CABLES, CONNECTORS AND FITTINGS ALL FOR USE IN THE DIRECT-TO-HOME SATELLITE BROADCASTING INDUSTRY, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-17-1994; IN COMMERCE 6-17-1994.

FOR: CLOTHING, NAMELY, SHIRTS, GOLF SHIRTS, JACKETS, WIND-RESISTANT JACKETS, SWEATSHIRTS, T-SHIRTS, CAPS, HATS, SWEATERS, SWEAT PANTS, SLEEPWEAR, SHORTS, RAINWEAR, WRIST BANDS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-17-1994; IN COMMERCE 6-17-1994.

FOR: SATELLITE TELEVISION BROADCASTING SERVICES, BROADCASTING PROGRAMS VIA A GLOBAL COMPUTER NETWORK, PROVIDING AND PROCESSING INTERACTIVE ACCESS TO INFORMATION VIA AN ELECTRONIC COMMUNICATION NETWORK, ELECTRONIC MAIL SERVICES, ELECTRONIC TRANSMISSION OF MESSAGES AND DATA, PAY-PER-VIEW TRANSMISSION SERVICES, DELIVERY OF MESSAGES BY ELECTRONIC TRANSMISSION; VIDEO BROADCASTING AND MESSAGING SERVICES, VIDEO-ON-DEMAND TRANSMISSION SERVICES, PROVIDING MULTIPLE-USER ACCESS TO A GLOBAL COMPUTER INFORMATION NETWORK, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 6-17-1994; IN COMMERCE 6-17-1994.

FOR: TELEVISION PROGRAMMING AND PRODUCTION SERVICES, PROGRAMMING ON A GLOBAL COMPUTER NETWORK, DISTRIBUTION OF TELEVISION PROGRAMS FOR OTHERS, PROVIDING ON-LINE INTERACTIVE COMPUTER DATABASES OF INFORMATION IN THE FIELDS OF ENTERTAINMENT NEWS, FINANCIAL NEWS, CURRENT EVENTS, SPORTS, AND PROVIDING ON-LINE INTERACTIVE COMPUTER DATABASES OF INFORMATION ON SATELLITE TELEVISION PROGRAMMING LISTS AND SCHEDULES OF OTHERS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 6-17-1994; IN COMMERCE 6-17-1994.

OWNER OF U.S. REG. NOS. 1,872,038 AND 2,184,561.

SN 75-982,248, FILED 12-4-1998.

MICHAEL BAIRD, EXAMINING ATTORNEY

**Int. Cl.: 38**

**Prior U.S. Cls.: 100, 101 and 104**

**Reg. No. 3,085,552**

**United States Patent and Trademark Office**

**Registered Apr. 25, 2006**

**SERVICE MARK  
PRINCIPAL REGISTER**

**DIRECTV**

DIRECTV, INC. (CALIFORNIA CORPORATION)  
2230 E. IMPERIAL HWY.  
EL SEGUNDO, CA 902450956

FOR: SATELLITE TELEVISION BROADCASTING  
SERVICES PROVIDED DIRECTLY TO THE CON-  
SUMER, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 10-31-1990; IN COMMERCE 6-17-1994.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,503,432, 2,698,197  
AND OTHERS.

SER. NO. 78-664,780, FILED 7-6-2005.

TASNEEM HUSSAIN, EXAMINING ATTORNEY

**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**Reg. No. 3,276,821**

**United States Patent and Trademark Office**

**Registered Aug. 7, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**

# DIRECTV PLUS

DIRECTV, INC. (CALIFORNIA CORPORATION)  
2230 E. IMPERIAL HWY.  
EL SEGUNDO, CA 90245

FOR: TELECOMMUNICATIONS PRODUCTS, NAMELY, AUDIO AND VIDEO RECEIVERS, MOBILE AUDIO AND VIDEO RECEIVERS; DECODER BOXES, SATELLITE DISHES, REMOTE CONTROLLERS FOR TELEVISIONS AND VIDEO GAMES, VIDEO GAME CONSOLES, NAMELY MACHINES FOR USE WITH TELEVISIONS; INTERACTIVE TELEVISION AND VIDEO DEVICE USED TO MAKE HOME SHOPPING PURCHASES, ONLINE GAMING, PERSONALIZED PROGRAMMING AND MESSAGING; COMPUTER NETWORKING HARDWARE; TELECOMMUNICATIONS AND DATA NETWORKING HARDWARE, NAMELY DEVICES FOR TRANSPORTING AND AGGREGATING VOICE, DATA AND VIDEO COMMUNICATIONS ACROSS MULTIPLE NETWORK INFRASTRUCTURES AND COMMUNICATIONS PROTOCOLS; TELEMATIC APPARATUS, NAMELY, WIRELESS AND HARDWIRE INTERNET DEVICES WHICH PROVIDE TELEMATIC SERVICES; WIRELESS TELEPHONY APPARATUS; WIRELESS HANDSETS NAMELY, COMPUTER PERIPHERALS TO TRANSMIT AND RECEIVE VOICE, VIDEO AND DATA; DIGITAL VIDEO RECORDERS, DIGITAL VIDEO AND AUDIO CASSETTE, FILM, MAGNETIC TAPE AND COMPACT DISC RECORDERS; AUDIO JUKEBOXES; DIGITAL CAMERAS; COMPUTER SOFTWARE AND HARDWARE FOR ORGANIZING, STORING AND VIEWING DIGITAL IMAGES AND PHOTOGRAPHS; COMPUTER HARDWARE AND SOFTWARE FOR TRANSMISSION OF AUDIO, GRAPHICS, TEXT, AND DATA OVER COMMUNICATIONS NETWORKS; COMPUTER SOFTWARE AND HARDWARE FOR STREAMING TRANSMISSION OF AUDIO, VIDEO, GRAPHICS, TEXT AND DATA OVER COMMUNICATION NETWORKS; COMPUTER SOFTWARE AND HARDWARE FOR SECURE, ENCRYPTED AND NON-ENCRYPTED ELECTRO-

NIC TRANSFER OF AUDIO, VIDEO, GRAPHICS, TEXT AND DATA OVER COMMUNICATIONS NETWORKS; COMPUTER SOFTWARE AND HARDWARE FOR ENCRYPTION; MP3 PLAYERS; COMPUTER CONTROLLING HARDWARE AND SOFTWARE FOR USE IN CONNECTION WITH PERSONALIZED, INTERACTIVE TELEVISION PROGRAMMING, NAMELY, SEARCHING, RECORDING, PAUSING, PLAYING, AND DOWNLOADING AUDIO AND VIDEO FILES; COMPUTER HARDWARE AND SOFTWARE FOR USE IN INTERACTIVE HOME SHOPPING AND REMOTE, TRANSACTIONAL SERVICES OVER SATELLITE BROADCAST, DIGITAL TELEVISION, INTERNET, AND WIRELESS TELECOM NETWORKS; COMPUTER HARDWARE AND SOFTWARE FOR THE COLLECTION, EDITING, ORGANIZING, MODIFYING, MANIPULATING, BOOK MARKING, TRANSMISSION, STORAGE AND SHARING OF TEXT, DATA, AUDIO AND VIDEO FILES; COMPUTER TELEPHONY SOFTWARE; VIDEO DISPLAY DEVICES, NAMELY, TELEVISION SETS AND VIDEO MONITORS, ANTENNAS, COMPUTER CONTROLLING HARDWARE AND SOFTWARE FOR USE IN THE AFOREMENTIONED GOODS; INSTALLATION KITS PRIMARILY COMPRISING CONNECTION CABLES, ELECTRIC PHONE CORDS, CABLE CONNECTORS NAMELY, CABLE TIES AND CABLE CLIPS, ELECTRIC GROUND WIRE, PHONE ADAPTERS, AND PARTS FOR THE AFORESAID GOODS, AND ACCESSORIES, NAMELY, TELEPHONE APPARATUS, NAMELY, JACKS, CHIMNEY MOUNTS, AND VOLTAGE SURGE PROTECTORS, DECORATIVE REFRIGERATOR MAGNETS AND CALCULATORS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-1-2006, THE MARK WAS FIRST USED ANYWHERE IN A DIFFERENT FORM OTHER THAN THAT SOUGHT TO BE REGISTERED ON 09/00/1999.; IN COMMERCE 9-1-2006, THE MARK WAS FIRST USED IN COMMERCE IN A DIFFERENT FORM OTHER

THAN THAT SOUGHT TO BE REGISTERED ON  
09/00/1999..

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,418,301, 2,503,432,  
AND OTHERS.

SN 78-615,601, FILED 4-24-2005.

TASNEEM HUSSAIN, EXAMINING ATTORNEY

**Int. Cl.: 38**

**Prior U.S. Cls.: 100, 101, and 104**

**Reg. No. 3,330,982**

**United States Patent and Trademark Office**

**Registered Nov. 6, 2007**

**SERVICE MARK  
PRINCIPAL REGISTER**

**DIRECTV PLUS**

DIRECTV, INC. (CALIFORNIA CORPORATION)  
2230 E. IMPERIAL HWY.  
EL SEGUNDO, CA 90245

FOR: SATELLITE TELEVISION BROADCASTING SERVICES, BROADCASTING PROGRAMS VIA A GLOBAL COMPUTER NETWORK, PROVIDING ACCESS TO TELECOMMUNICATION NETWORKS, TELEMATIC SENDING OF INFORMATION; ELECTRONIC MAIL AND MESSAGING SERVICES, ELECTRONIC TRANSMISSION OF MESSAGES AND DATA, PAY-PER-VIEW TRANSMISSION SERVICES, WIRELESS ELECTRONIC TRANSMISSION OF VOICE SIGNALS, DATA, FACSIMILES, IMAGES AND INFORMATION; INTERNET TELEPHONY SERVICES; MOBILE TELEPHONY; DELIVERY OF MESSAGES BY ELECTRONIC TRANSMISSION; WEB MESSAGING SERVICES; VIDEO BROADCASTING AND MESSAGING SERVICES, VIDEO-ON-DEMAND TRANSMISSION SERVICES, PROVIDING MULTIPLE-USER ACCESS TO A GLOBAL COMPUTER INFORMATION NETWORK, THE INTERNET, WIDE AREA NETWORKS, LOCAL AREA NETWORKS, PRIVATE COMPUTER INFORMATION NETWORKS AND TELEMATIC NETWORKS THAT RELY ON A TELECOMMUNICATIONS SYSTEM TO TRANSPORT DATA; COMMUNICATIONS SERVICES, NAMELY, TRANSMITTING STREAMED SOUND AND AUDIO-VISUAL RECORDINGS VIA THE INTERNET; INTERNET TELEPHONY SERVICES; UPLOADING AND

DOWNLOADING OF VOICE, DATA, IMAGES, AUDIO, VIDEO, SOFTWARE, GAMES, RING TONES, AND MESSAGES; PROVIDING MULTIPLE USER DIAL-UP AND DEDICATED ACCESS TO THE INTERNET; PROVIDING ON-LINE COMMUNICATIONS LINKS WHICH TRANSFER THE WEBSITE USER TO OTHER LOCAL AND GLOBAL WEB PAGES; WEB SITE FORWARDING SERVICES; WEB CONFERENCING SERVICES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 8-1-2006, THE MARK WAS FIRST USED ANYWHERE IN A DIFFERENT FORM OTHER THAN THAT SOUGHT TO BE REGISTERED ON 09/00/1999.; IN COMMERCE 8-1-2006, THE MARK WAS FIRST USED IN COMMERCE IN A DIFFERENT FORM OTHER THAN THAT SOUGHT TO BE REGISTERED ON 09/00/1999..

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,418,301, 2,503,432, AND OTHERS.

SN 78-615,602, FILED 4-24-2005.

TASNEEM HUSSAIN, EXAMINING ATTORNEY

**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36 and 38**

**United States Patent and Trademark Office**

**Reg. No. 3,598,467**

**Registered Mar. 31, 2009**

**TRADEMARK  
PRINCIPAL REGISTER**

**DIRECTV2PC**

DIRECTV, INC. (CALIFORNIA CORPORATION)  
2230 EAST IMPERIAL HWY  
EL SEGUNDO, CA 902453531

FOR: DOWNLOADABLE COMPUTER SOFTWARE FOR PROVIDING ACCESS TO AUDIO AND VISUAL CONTENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 10-22-2008; IN COMMERCE 10-22-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,639,279, 2,698,197, AND 3,085,552.

SER. NO. 77-599,376, FILED 10-23-2008.

JAY BESCH, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## FARR

**Reg. No. 3,965,476**

**Registered May 24, 2011**

**Int. Cl.: 30**

**TRADEMARK**

**PRINCIPAL REGISTER**

ASAEI FARR & SONS COMPANY (UTAH CORPORATION)  
286 21ST STREET  
OGDEN, UT 84401

FOR: FROZEN CONFECTIONS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 1-1-1929; IN COMMERCE 1-1-1930.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SEC. 2(F).

SER. NO. 85-132,546, FILED 9-17-2010.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY



*David J. Kyros*

Director of the United States Patent and Trademark Office

**B041**

# United States of America

United States Patent and Trademark Office

## Farr Better

**Reg. No. 3,973,455**

**Registered June 7, 2011**

**Int. Cl.: 30**

**TRADEMARK**

**PRINCIPAL REGISTER**

ASAE FARR & SONS COMPANY (UTAH CORPORATION)  
286 21ST STREET  
OGDEN, UT 84401

FOR: FROZEN CONFECTIONS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 1-1-1929; IN COMMERCE 1-1-1930.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SEC. 2(F) AS TO "FARR BETTER".

SER. NO. 85-132,554, FILED 9-17-2010.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 2,286,737**

**Registered Oct. 12, 1999**

**SERVICE MARK  
PRINCIPAL REGISTER**

**THE BEAR'S BEST**

**GOLDEN BEAR INTERNATIONAL, INC.  
(FLORIDA CORPORATION)  
11780 U.S. HIGHWAY ONE  
NORTH PALM BEACH, FL 33408**

**FIRST USE 6-1-1998; IN COMMERCE  
6-1-1998.**

**SN 75-511,972, FILED 7-1-1998.**

**FOR: GOLF COURSE DESIGN AND CON-  
SULTING SERVICES, IN CLASS 42 (U.S. CLS.  
100 AND 101).**

**JOHN SCHUYLER YARD, EXAMINING AT-  
TORNEY**

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,286,737

**United States Patent and Trademark Office**

Registered Oct. 12, 1999

**SERVICE MARK  
PRINCIPAL REGISTER**

**THE BEAR'S BEST**

GOLDEN BEAR INTERNATIONAL, INC.  
(FLORIDA CORPORATION)  
11780 U.S. HIGHWAY ONE  
NORTH PALM BEACH, FL 33408

FIRST USE 6-1-1998; IN COMMERCE  
6-1-1998.

SN 75-511,972, FILED 7-1-1998.

FOR: GOLF COURSE DESIGN AND CON-  
SULTING SERVICES, IN CLASS 42 (U.S. CLS.  
100 AND 101).

JOHN SCHUYLER YARD, EXAMINING AT-  
TORNEY

Please delete "THE" as indicated.

# United States Patent Office

955,632  
Registered Mar. 20, 1973

## PRINCIPAL REGISTER Trademark

Ser. No. 373,324, filed Oct. 14, 1970

### GOLDEN BEAR

Golden Bear, Inc. (Ohio corporation)  
1208 U.S. Highway 1  
North Palm Beach, Fla. 33408, assignee of  
Jack W. Nicklaus  
Cleveland, Ohio

For: GOLF BALLS AND GOLF CLUBS, in CLASS  
22 (INT. CL. 28).  
First use July 1963; in commerce July 1963.  
Owner of Reg. No. 768,217.

**Int. Cl.: 35**

**Prior U.S. Cl.: 101**

**United States Patent and Trademark Office**

**Reg. No. 1,786,989**

**Registered Aug. 10, 1993**

**SERVICE MARK  
PRINCIPAL REGISTER**

**KATZ**

KATZ COMMUNICATIONS, INC. (DELAWARE  
CORPORATION)  
125 WEST 55TH STREET  
NEW YORK, NY 100195366

FIRST USE 11-0-1888; IN COMMERCE  
11-0-1888.

SEC. 2(F).

FOR: INDEPENDENT MEDIA SALES REPRESENTATION SERVICES IN THE FIELDS OF RADIO AND TELEVISION BROADCASTING AND CONSULTING SERVICES IN CONNECTION THEREWITH, IN CLASS 35 (U.S. CL. 101).

SER. NO. 74-309,294, FILED 8-26-1992.

FRANCINE L. APPLEWHITE, EXAMINING  
ATTORNEY

**Int. Cl.: 35**

**Prior U.S. Cls.: 101 and 107**

**United States Patent and Trademark Office**

**Reg. No. 1,788,403**

**Registered Aug. 17, 1993**

**SERVICE MARK  
PRINCIPAL REGISTER**

**KATZ. THE BEST.**

KATZ COMMUNICATIONS, INC. (DELAWARE  
CORPORATION)  
125 WEST 55TH STREET  
NEW YORK, NY 100195366

FOR: INDEPENDENT MEDIA SALES REPRESENTATION SERVICES IN THE FIELDS OF RADIO AND TELEVISION BROADCASTING AND CONSULTING SERVICES IN CONNECTION THEREWITH, IN CLASS 35 (U.S. CLS. 101 AND 107).

FIRST USE 0-0-1975; IN COMMERCE 0-0-1975.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BEST", APART FROM THE MARK AS SHOWN.

SER. NO. 74-309,296, FILED 8-26-1992.

FRANCINE L. APPLEWHITE, EXAMINING  
ATTORNEY

**Int. Cls.: 30 and 42**

**Prior U.S. Cls.: 46 and 100**

**United States Patent and Trademark Office**

**Reg. No. 1,221,085**

**Registered Dec. 21, 1982**

**TRADEMARK  
SERVICE MARK  
Principal Register**

The logo for Blimpie, featuring the word "Blimpie" in a bold, stylized, rounded font. The letters are black with a white outline, and the entire word is enclosed within a thick, black, rounded rectangular border that follows the shape of the text.

Anthony Conza, David Siegel and Peter DeCarlo  
(United States citizens)  
720 5th Ave.  
New York, N.Y. 10019

For: PREPARED MEAT, FISH AND OTHER  
FOOD SANDWICHES FOR CONSUMPTION ON  
OR OFF THE PREMISES, in CLASS 30 (U.S. Cl.  
46).

First use Apr. 4, 1964; in commerce Apr. 4, 1964.

For: RESTAURANT SERVICES, in CLASS 42  
(U.S. Cl. 100).

First use Apr. 4, 1964; in commerce Apr. 4, 1964.

Ser. No. 188,080, filed Oct. 4, 1978.

RICHARD A. STRASER, Examining Attorney

**Int. Cls.: 30 and 42**

**Prior U.S. Cls.: 46 and 100**

**United States Patent and Trademark Office**

**Reg. No. 1,256,296**

**Registered Nov. 1, 1983**

**TRADEMARK  
SERVICE MARK  
Principal Register**

**BLIMPIE**

Anthony Conza, David Siegel and Peter DeCarlo  
(United States citizens)  
720 5th Ave.  
New York, N.Y. 10019

For: PREPARED MEAT, FISH, AND OTHER  
FOOD SANDWICHES FOR CONSUMPTION ON  
OR OFF THE PREMISES, in CLASS 30 (U.S. Cl.  
46).

First use Apr. 4, 1964; in commerce Apr. 4, 1964.

For: RESTAURANT SERVICES, in CLASS 42  
(U.S. Cl. 100).

First use Apr. 4, 1964; in commerce Apr. 4, 1964.

Owner of U.S. Reg. No. 840,938.

Ser. No. 188,686, filed Oct. 10, 1978.

RICHARD A. STRASER, Examining Attorney

Int. Cl.: 30

Prior U.S. Cl.: 46

**United States Patent and Trademark Office** **Reg. No. 2,011,843**  
Registered Oct. 29, 1996

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**TRADEMARK  
PRINCIPAL REGISTER**

**BLIMPIE BEST**

CONZA, ANTHONY (UNITED STATES CITIZEN)  
740 BROADWAY  
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June 01, 2015



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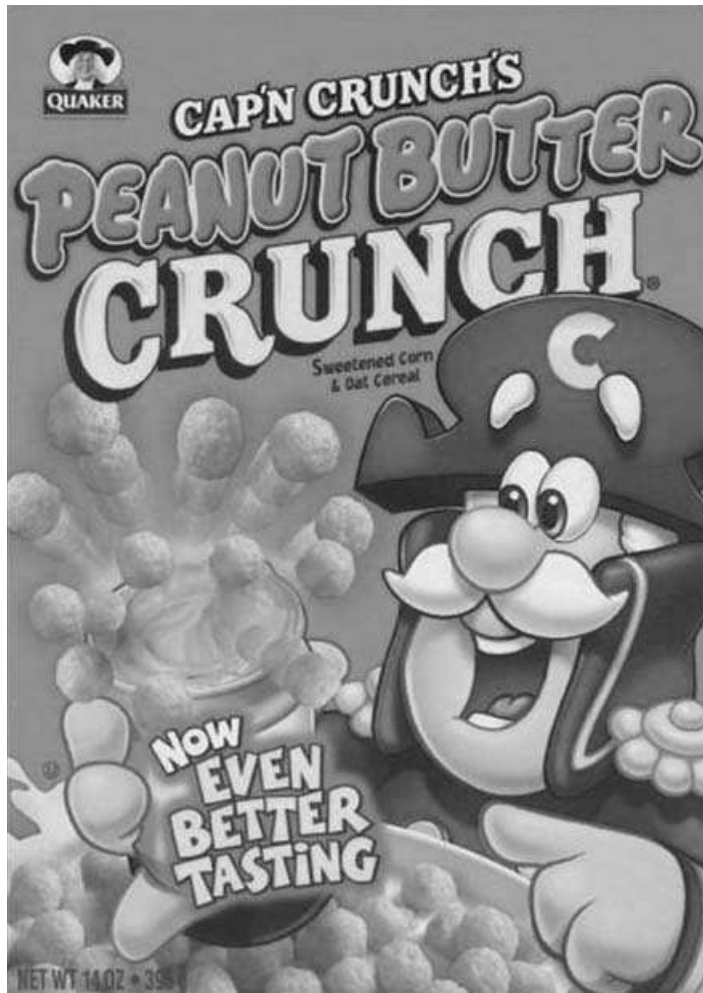
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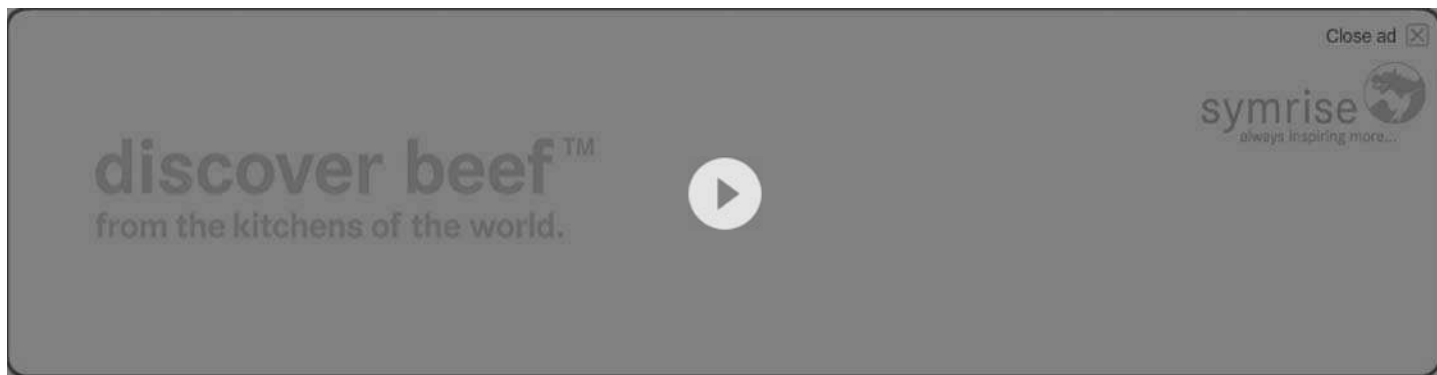
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# Post unveils non-GMO verified Grape Nuts as Gen Mills says goodbye to GMOs in Original Cheerios

By Elaine WATSON , 17-Jan-2014  
 Last updated on 17-Jan-2014 at 23:41 GMT

3 comments



**Cereals giant Post Foods has unveiled non-GMO verified Original Grape Nuts, just days after General Mills announced it had reformulated Original Cheerios to remove GMOs.**

Mangala D'Sa, Brand Director, Grape-Nuts said: "Grape-Nuts Original has been verified as non-GMO. Grape-Nuts Original still contains the signature crunch, ingredients, and 49g of whole grains known and loved for more than a century.

"We've confirmed our recipe and suppliers do not contain GMO ingredients, and the Non-GMO Project seal will appear on boxes of Grape-Nuts Original on store shelves."

She did not say what changes had been made to the recipe - for

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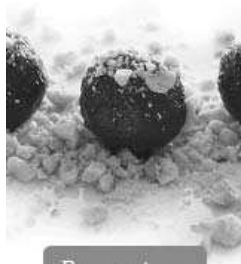


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example whether the soy protein had been changed. (Original Grape Nuts contains whole grain wheat flour, malted barley flour, isolated soy protein, salt, whole grain barley flour, malt extract and dried yeast.)

**Recipe was 'modified slightly' and no longer includes Vitamin A, Vitamin D, Riboflavin, and B12**

However, a spokesman sent over this statement: *"In order to achieve the Non-GMO Project verification, the Grape-Nuts Original recipe was modified slightly, but still contains the signature crunch and 49g of whole grains people have known and loved for more than a century."*

*"Grape-Nuts Original now has 45g of carbs per serving and no longer includes Vitamin A, Vitamin D, Riboflavin, and B12."*

Activist group GMO Inside, which has been calling for large cereal firms to eradicate ingredients from genetically engineered crops from their supply chains, also released excerpts of a letter from Post Foods it had received recently in which the firm said it was *"exploring some of our other cereals to see if there is potential going forward to add more non-GMO verified products to the Post Foods product line"*.

Commenting on the move, Green America GMO Inside campaign director Nicole McCann said: *"GMO Inside thanks Post for removing GMOs from Grape-Nuts Original and congratulates them for doing it right with third party verification [Gen Mills has not used a third party]."*

*"We're glad Post is also considering removing GMOs from other cereals and look forward to seeing them on the shelves. We would also love to see Post supporting mandatory GMO labelling."*

#### Post Foods: We are always listening to our consumers

While Stonyfield Farm chairman and Just Label It (JLI) chairman Gary Hirshberg said earlier this week that the JLI campaign is *"not an effort to stop GMOs, nor to mark them with a skull and crossbones"*, GMO Inside's explicit agenda is eliminating GM crops from the food supply (see p24 of its recent report ).



General Mills recently reformulated original Cheerios by switching from beet sugar to cane sugar and using a non-GMO cornstarch

Currently, federal law does not require the labeling of genetically engineered foods as the FDA has consistently argued that they do not differ from other foods *"in any meaningful or material way"* or present any different or greater safety concerns than foods developed by traditional plant breeding methods.

Many large food companies, meanwhile, oppose mandatory labeling because they believe it would reinforce an erroneous perception that there is something wrong with

GM crops.

They also argue that if the tide turns against agricultural biotechnology, it won't be a victory for consumers - that there is no evidence that the global food supply would be safer or more sustainable without genetically engineered crops (as a recent report from GMO Inside alleged).

However, supporters of GMO labeling argue that consumers have a right to know what they are eating.

Kellogg, meanwhile, has not responded to requests for comment on Gen Mills' reformulation

**D002**


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Grape nuts cereal

P S. Always liked Post cereal. Congratulations on being smart enough to go with non-GMO ingredients. As a thank you , I would like to share a fabulous original recipe for Grapenuts. E-mail e for it .

Posted by **Sylvia**  
02 June 2015 | 14h14

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Non GMO food

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Posted by **Sylvia**  
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# Hershey's Most Popular Chocolates Will Go GMO-Free by End of the Year

Lorraine Chow | March 4, 2015 8:47 am | Comments

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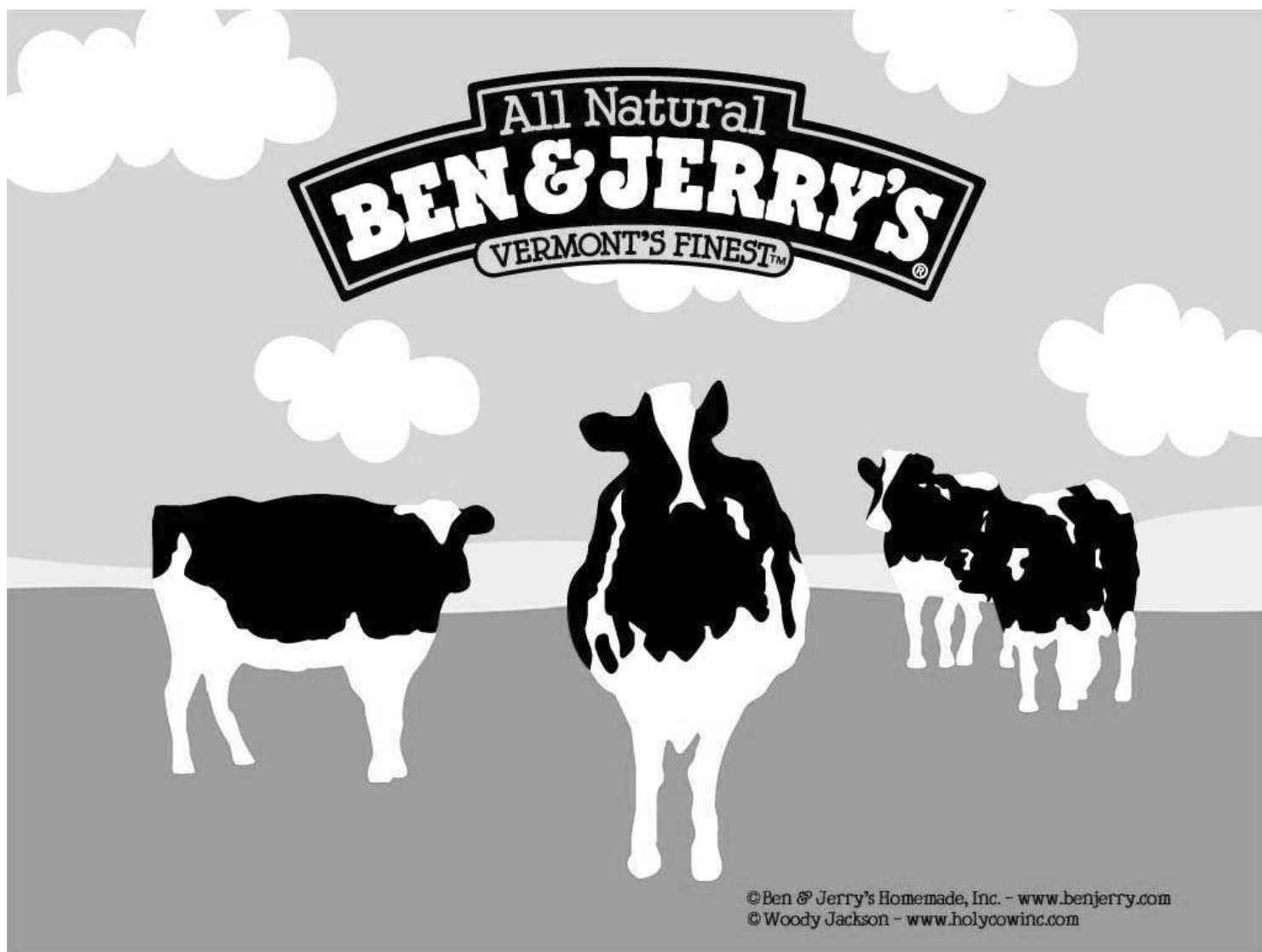
Now that Valentine's Day has come and gone, the Hershey Company's love affair with Genetically Modified Organisms is (mostly) over.



Hershey's Milk Chocolate Bars and Milk Chocolates Kisses will be GMO-free by the end of the year.  
Photo credit: Shutterstock/Shutterstock

After years of mounting pressure and thousands of Facebook posts, e-mails and telephone calls from consumers and

D004



## Ben & Jerry's Is Switching to Non-GMO Ingredients

Food & Nutrition > New Solutions > GMO's > Ben & Jerry's Is Switching to Non-GMO Ingredients



Guest post by Ken Roseboro

*Ice cream maker wants to help increase demand for conventional non-GMO ingredients and foods*

Ice cream manufacturer Ben & Jerry's has committed to switching to all non-GMO ingredients in its ice cream products by the end of this year.

Several factors spurred Ben & Jerry's to go non-GMO, says Rob Michalak, the company's global director of social mission. First is a commitment to transparency and consumers' right to know.

**D005**

<http://organicconnectmag.com/project/ben-jerrys-is-switching-to-non-gmo-ingredients/>

CONNECTIONS



Ben & Jerry's Co-Founder Goes to DC in Support of GMO Labeling

"We've had historical support for a consumer's right to know," Michalak says. "With GMO labeling legislation being considered in many states, our home state of Vermont included, we thought this was a time to speak out."

Ben & Jerry's has long been known for its support of environmental issues, sustainability, and social justice since its founding in 1978 by counter culture heroes Ben Cohen and Jerry Greenfield.

In 1993, the company led the fight for the right to label its products rBGH-free, and more recently has publicly opposed cloned and GMO animals, such as salmon.

### Aim to support conventional non-GMO food production

Supporting non-GMO food production was another deciding factor. Michalak sees Ben & Jerry's in a unique position—between organic and GMO production—where it can stimulate non-GMO demand.

"One of the roles we see our company playing is in the conventional agriculture marketplace," he says. "We want to play a role in increasing demand for conventional non-GMO ingredients and non-GMO foods and to help create a robust non-GMO agriculture sector."

Sourcing non-GMO ingredients has always been a goal of Ben & Jerry's, says Michalak.

Then with growing consumer awareness of GMOs and the demand for labeling, particularly as a result of California's Proposition 37, Ben & Jerry's decided to make the complete conversion to non-GMO.

"The whole consumer right to know issue increased our momentum. We thought it was important to become non-GMO by origin and let people know that," Michalak says.

### Sourcing non-GMO ingredients

Eighty percent of the ingredients used in Ben & Jerry's products are non-GMO, and 26 ice cream flavors are fully non-GMO. These are listed on the company's website.

The company uses cane sugar instead of beet sugar and high fructose corn syrup, which are derived from GMOs. The St. Albans Cooperative Creamery in Vermont supplies the bulk of rBGH-free milk for the ice cream. All flavors are fair trade certified, which requires they are non-GMO and produced using sustainable methods.

"We have been working to convert the last percentages of the supply chain to non-GMO," Michalak says.

Ben & Jerry's already produces all non-GMO products at its facility in the Netherlands.

Sourcing all non-GMO ingredients is a challenge because Ben & Jerry's products are composite products with many ingredients. Ice cream products contain "inclusions," which are candies, nuts, and baked goods and these could contain corn syrup, beet sugar, or soy lecithin. All could come from GM sources.

"We have to work with suppliers to go back through the supply chain to make sure everything is non-GMO," Michalak says.

Ben & Jerry's is finalizing its non-GMO sourcing standards for suppliers, which will be phased in this year as the company completes its full conversion to non-GMO ingredients. It is expected that suppliers will be required to provide documentation that all raw materials are non-GMO by origin. Finished ingredients supplied to Ben & Jerry's must have no detectable level of GMO presence as verified through PCR testing. Suppliers will be audited for non-GMO segregation compliance.

Ben & Jerry's aims to convert the remaining 20% of its ingredients to non-GMO in products produced in North America by the end of 2013. The company will post updates on its non-GMO progress on its website and plans to change its packaging with non-GMO messaging by 2014.

Michalak says Ben & Jerry's decided not to participate in the Non-GMO Project because of its requirement that animals be fed non-GMO feed.

"That is out of our scope for now. Feed is a major cost for family farmers and we don't want to place an undue burden on them," he says.

Still he sees Ben & Jerry's non-GMO commitment eventually extending to feed as demand increases for non-GMO foods.

### Support for GM food labeling

Natural/organic brands owned by large food manufacturers who opposed Proposition 37 were declared "traitor brands" by the Organic Consumers Association and Cornucopia Institute. Ben & Jerry's was targeted because it is owned by Unilever, which donated \$467,000 to defeat Prop 37.



2013: A Banner Year for the Food Movement



Non-GMO Is Going Mainstream

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# Similac Advance Infant Formula to Be Offered G.M.O.-Free

By **STEPHANIE STROM** MAY 25, 2015

The maker of Similac Advance, the top commercial baby formula brand in the United States, says it will begin selling the first mainstream baby formula made without genetically altered ingredients by the end of the month at Target.

Similac's maker, the global health care company Abbott, said it would first offer a "non-G.M.O." version of its best-selling Similac Advance, followed by a non-G.M.O. version of Similac Sensitive. Depending on sales, Abbott may offer other formulas free of such ingredients.

Abbott will join a growing number of companies offering popular products without genetically modified organisms. Consumer demand for such products has been growing, despite a concerted and expensive effort by trade groups representing major food manufacturers and the biotech industry to convince them that genetically altered ingredients are not harmful to human health.

"We listen to moms and dads, and they've told us they want a non-G.M.O. option," said Chris Calamari, general manager of Abbott's pediatric nutrition business. "We want to make sure we meet the desires of parents."

A new online study of 1,829 adults selected by Fluent, a consumer

marketing and advertising firm, found that nearly one in five of them said they preferred non-G.M.O. products.

“The preference for non-G.M.O. products in particular is more pronounced amongst shoppers with higher household incomes and with shoppers based in the Northeast,” said Matt Conlin of Fluent.

Most mainstream baby formula is made from various corn and soy derivatives, and more than 90 percent of those crops in America are grown from genetically altered seeds.

Over the last few years, consumers have petitioned Abbott and other big makers of infant formula to remove genetically altered ingredients.

That movement, Mr. Calamari said, had nothing to do with the introduction of non-G.M.O. versions of Similac, though. Rather, he said, the company’s own research had prompted the decision. “Over one-third of consumers say it would have appeal to them and give them peace of mind,” he said.

As consumer interest in improving health through nutrition has grown, Abbott has also begun moving to sell more of its products beyond niche audiences. For instance, the company recently began marketing Pedialyte, an oral electrolyte solution that has long been recommended for sick children by pediatricians, to adults.

“We’ve known that we always had an underground movement of adults who used it for various purposes,” said Lindsay Delco, a spokeswoman for Abbott. “We recently started digging into that and found that since 2012, one-third of our sales” are for adult use.

Abbott already has a G.M.O.-free formula in Similac Organic. (By law, organic products cannot contain genetically altered ingredients.) But the company said its research showed that parents wanted a G.M.O.-free version

of the original Similac Advance, which was formulated to be more similar to breast milk than Similac Organic.

In the 52 weeks that ended March 28, sales of all baby formulas totaled just over \$4 billion in the United States, according to the market research company Nielsen.

Mark Kastel of the Cornucopia Institute, an organic advocacy and research group, said he was pleased that a major baby formula company would offer a G.M.O.-free product.

“Since formula is really the only thing infants eat for some time,” he said, parents are concerned about feeding them “products that are largely made from G.M.O. ingredients.”

A version of this article appears in print on May 26, 2015, on page B3 of the New York edition with the headline: Similac Infant Formula to Be Offered G.M.O.-Free, for ‘Peace of Mind’.

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# Taco Bell and Pizza Hut are removing artificial ingredients from many menu items



📷 Coming soon to a Taco Bell near you: Artificial-ingredient-free breakfast burritos. (Flickr)

## SHARE



## WRITTEN BY

Deena Shanker

Following in the footsteps of competitors like Panera Bread Company, Chipotle Mexican Grill, and Subway, two of Yum! Brands' flagship fast-food chains, Taco Bell and Pizza Hut, have announced the removal of a number of controversial ingredients from some of their menu

**D010**

items.

May 26, 2015

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artificial colors and  
and palm oil, by the

end of the year. It also will take artificial preservatives out “where possible,” it says, by 2017. Pizza Hut, meanwhile, says it’s taking artificial flavors and colors out of its nationally available pizzas in the US by the end of July.

As American tastes change, and as upstarts like Chipotle and Shake Shack meet the newer demands, old-school fast-food restaurants are racing to keep pace. “You don’t get the honor of being America’s leading pizza brand without consistently keeping up with the changing needs of today’s consumers,” Pizza Hut CEO David Gibbs said in a statement.

And those needs, according to Gibbs, now include an understanding of “the ingredients that make up the foods that they enjoy.”

The trend has driven McDonald’s to announce that its US locations will only serve chicken raised without antibiotics. That announcement, which came in May, followed a first-quarter sales drop of 2.6% for US stores open at least a year. Subway, also looking to pull out of a sales slump, took azodicarbonamide—aka the yoga-mat chemical—out of its bread last year, after activists called for its removal. It also has “quietly subtracted” two flavor enhancers, disodium guanylate and disodium inosinate, from its chicken marinade, Bloomberg reported in March.

Pizza Hut and Taco Bell’s cheese- and grease-filled menu items hardly count as health food, but Yu n’t been under the same

D011

degree of sales pressure. Pizza Hut sales have been running essentially flat, and Taco Bell's first-quarter same-store revenue grew 6% year-over-year. But chains like these, as well as Panera, which took 150-plus ingredients off its menu earlier this month, aren't waiting for a downward spiral in sales to act on what they see as a marked shift in taste. Chipotle experienced huge sales growth in 2014—27.6%—and still removed GMOs from its menu.



on Mars,  
SA—can

Just as Chipotle's GMO-free announcement came with some caveats (its sodas, for example, will still have GMOs), so do Pizza Hut and Taco Bell's. At Taco Bell, for example, sodas and co-branded menu items like Doritos Locos Tacos, are outside the purview of the change.

*The photograph above was taken by Mike Mozart and shared under a Creative Commons license on Flickr. It has been cropped.*

<http://qz.com/412>

# Chipotle Completes Plan to Remove GMOs From Its Menu

April 27, 2015 — 7:45 AM EDT

Updated on April 27, 2015 — 12:45 PM EDT



Food preparation at a Chipotle Mexican Grill. After previously removing GMOs from its meat, the company has now taken the final step of stripping them from tortillas and cooking oil. Photographer: Craig Warga/Bloomberg

Chipotle Mexican Grill Inc. has eliminated genetically modified organisms from all its ingredients, an unprecedented move for a national U.S. restaurant chain that may give it a marketing edge over fast-food rivals.

The company, which began labeling its GMO ingredients two years ago and vowed to remove them, has now taken the final step of stripping them from tortillas and cooking oil. While the U.S. Food and Drug Administration has said that GMOs are safe, they have been increasingly targeted by consumer activists. Vermont recently became the first state to require the labeling of genetically modified ingredients.

“There is a lot of debate about genetically modified foods,” Steve Ells, co-chief executive officer of Chipotle, said in a statement. “Though many countries have already restricted or banned the use of GMO crops, it’s clear that a lot of research is still needed before we can truly understand all of the implications of widespread GMO cultivation and consumption. While that debate continues, we decided to move to non-GMO ingredients.”

The move coincides with a new Chipotle marketing campaign that will tout its use of simple, unprocessed ingredients. Removing the remaining GMOs from its menu gives the company fresh ammunition as Chipotle criticizes the food of rival chains.

## Processed Foods

“There are more than 800 artificial ingredients, preservatives and processing aids used in processed foods,” Mark Crumpacker, Chipotle’s chief creative officer, said on a conference call last week. “In fact, there are 85 ingredients in a single fast-food burrito served by one of our competitors.”

Chipotle had been using GMO ingredients in soybean oil for cooking chips and taco shells. The company is now using sunflower oil instead.

There also were GMO ingredients in the company’s corn and flour tortillas. As part of the switch, Chipotle’s suppliers planted non-GMO corn for tortillas. The move was previously reported by the New York Times and CNN.

The chain’s tortillas still contain food additives, including preservatives and dough conditioners. Chipotle said the conditioners allow quickly made tortillas to have the “consistency that was once achieved by allowing dough to rise slowly.” The goal now is to sell tortillas free of additives, bringing them in line with the rest of its menu.

## Bread Lab

Chipotle is working with its tortilla suppliers and the Bread Lab at Washington State University to “develop a new system of making tortillas that will allow the dough to rise slowly and eliminate the need for the dough conditioners.”

That adjustment won’t be as difficult as the GMO move. “But still a challenge, simply because tortillas are difficult to keep fresh for so long,” Chipotle said.

The company's changing ingredients have come at a price. Chipotle said last week that its spending on tortillas has increased as it uses more organic flour, adding to its escalating meat costs. The company warned that it may have to raise beef prices 4 percent to 6 percent as soon as the third quarter, following another price hike last year.

Eschewing GMOs also limits Chipotle’s pool of suppliers. Already, the company has struggled to keep its menu items in stock, with a shortage of pork this year leading to “rolling blackouts” of the carnitas at its

restaurants.

Still, the GMO change alone didn't create "significantly higher" ingredient costs and won't lead to price increases, the company said.

Chipotle is willing to live with some supply-chain risks because the GMO move reinforces its reputation for food quality, said Darren Tristano, executive vice president at Technomic Inc., a research firm in Chicago. It also helps burnish the brand, he said.

"It's a necessary step for them to stay ahead of the competition," he said. Few restaurants "are as loved as Chipotle. It's almost like a religion to the younger generation."